TRUE STORIES OF THE AMERICAN WEST

THE WEST

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THE REAL MOLLY BROWN

THE SAGA OF PIO PICO

The Assassination of Parson Tolby

WYOMING'S MONEY-MAD POISONER

RUSTLERS, By William H.D. Koerner

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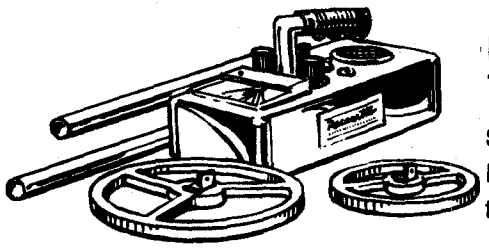

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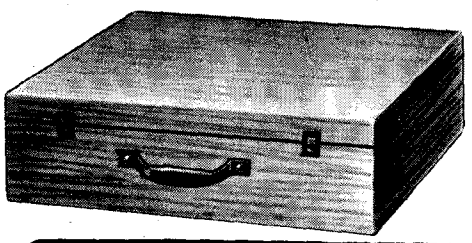

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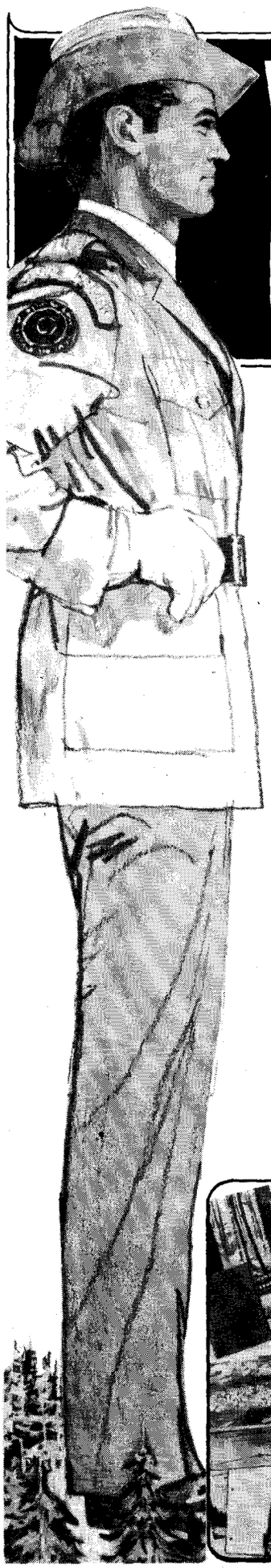

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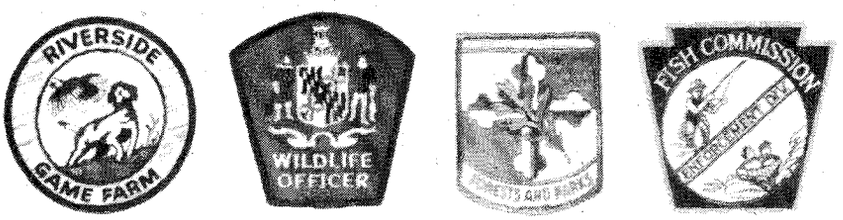

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TRUE STORIES OF THE GREAT AMERICAN WEST

THE WEST

MARCH 1972 VOLUME 15, NUMBER 10

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ROUND-UP TIME

QUESTIONS AND ANSWERS

Q. My grandmother says they "canned" eggs in their own shells on her father's New York farm years ago. How is this done? T.D.S., Mayo, Va.

A. We have read where scalding water was poured over eggs three times and then quickly drained off, settling the albumen in the eggs. The eggs were then packed in salt with the apex down. Reportedly, the eggs kept for several months this way. Try it! My mother had her own way of pickling eggs but I've forgotten how it was done. Anyone remember?

Q. How early did the poisoning of wild animals or predators, as government people now call them, begin? Where in the west? A. McR, Augusta, Ga.

A. As early as 1855 plainsmen in central Kansas were using dead buffalo, shot for their hides and meat, to poison wolves with strychnine. One account, by famous mountaineer Dick Wooten, stated: "Webb says one morning the ranchers picked up 64 (dead) wolves within a mile-and-a-half of camp and the 'proceeds from that winter's hunt were over four thousand dollars.'" In 1860, Peacock's Road Ranch freighted 2,000 wolf skins to Kansas City!

Q. Did Charles Rath, the Dodge hide-buyer and merchant, marry an Indian girl? What was her name and of what tribe? V.L. Sinai, S.D.

A. At age 24, Rath married Making-Out-Road, whom he called Roadmaker. She was a Cheyenne and belonged to the Little Bear clan, keepers of the Sacred Arrows. William Bent's wife, Owl Woman, was also of this group. Rath and Roadmaker had a daughter, Cheyenne Belle, who was born in August, 1861, near Bent's Fort.

Q. Don't you agree that most of the national sports and sportsmen's magazines are oriented toward guns and killing wild animals to a point that wildlife, and the ecology, is truly threatened? J.C. Anaconda, Mont.

A. Not necessarily. Some may appear so, but there are others, like SPORTS AFIELD, under the editorship of Lamar Underwood, who have a basic understanding of what must be done to save ourselves *and* our wildlife. More editors and journalists are beginning to see the light. Man needs animals as much as animals need man!

Q. Can you give me the words to, and tell me something about the song, "Shoot the Buffalo?" R.O'B., Phoenix, Ariz.

A. This song was sung by easterners heading for Kentucky about 1775, according to Donald Davison in his book, *The Tennessee.* The lines in it referring to "The Hawk," "The Buzzard" and "The Crow" are from Cherokee Indian legends, well-known by mountain people of that age. The words are as follows:

Rise you up, my dearest dear, and
present to me your hand,
And we'll take a social walk, to a
far and distant land.
Where The Hawk shot the Buzzard,
and The Buzzard shot The Crow.
We'll rally in the cane-brake, and
shoot the Buffalo!
Shoot the Buffalo! Shoot the Buffalo!
Rally in the cane-brake, and shoot
the Buffalo!

Q. What can I do as an individual to help stop the killing of the wild mustangs and other horses that are being used for cat and dog food? T.V., Billings, Mont.

A. I don't know what others can do, but I personally never purchase a can of dog food that has the word "horsemeat" on the label. Besides, my dog prefers beef chunks and cereals.

Q. Where is the body of Sitting Bull buried? T.R.F., Lee, Ill.

A. The body originally rested at Fort Yates, N.D., on the Standing Rock Indian Reservation. In April, 1953, a group of Mobridge, S.D., businessmen, under the charge that his grave was not properly attended to, surreptitiously stole into the burial ground during a blizzard, removed the old Chief's remains, and carried them to Mobridge, where they rest today under a ton or more of concrete. The present site on Grand River is said not to be far from where the old Indian was born.

Q. What can be done to prevent a horse from "cribbing," chewing on the wood of the stall? H.L.S., Birmingham, Ala.

A. My father always recommended keeping rock salt in the feed box. Nervousness and loneliness are sometimes the cause. Ample exercise and correct diet helps sometimes. Technical aids, such as covering the particular spot chewed and sucked with metal, can stop the activity, but not cure the animal. Some animals will chew and suck on a post, and these are called stumpsuckers. Try to locate the cause of the animal's dissatisfaction and unrest. You may find different causes in different animals. Consult with a good veterinarian. (I once heard an old man say he stopped a cribbing riding mare by getting all of his wife's chickens out of the barn.)

Q. One western writer tells that the cattlemen first thought that "Texas fever was some sort of a germ." Will you comment on this? E.E.L., Globe, Arizona.

A. Had Texas cowmen done such thinking about "germs," their thoughts would have anticipated the brainwork of the great scientists like Lister, Pasteur and Semmelweis. Cattlemen of that era had no idea how Texas fever was contracted. Albert Dean stumbled upon the fact that bacon grease could kill the ticks, and with his discovery came vat dipping, after investigations of the Department of Animal Husbandry at Kansas City. Following vat dipping came inventions for range use, under and by which the cattle themselves, desiring to ease the itching caused by ticks, bots and other pests, could scratch themselves on such devices as "Old Scratch," invented by Bill Kirk, and other arrangements where oil and medicines are soaked into the rope the animal scratches against, working it into his own hide. ●

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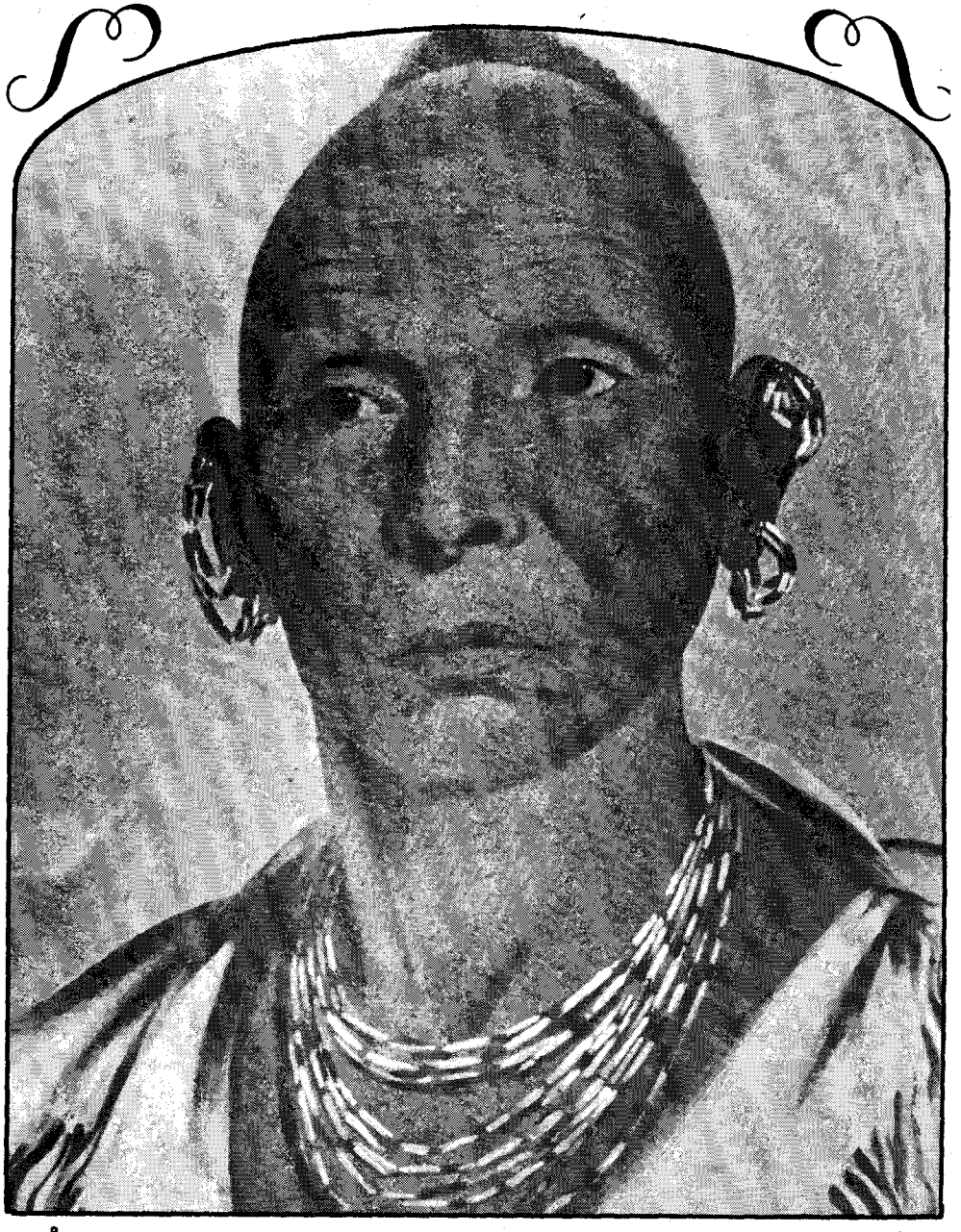
Black Hawk, the proud chief of the Sauk & Fox nation, tried to surrender at Wisconsin Heights.

HOW THE U.S. HUMILIATED THE PROUD INDIAN CHIEF BLACK HAWK



The Mississippi River ran red with blood. Women and children were slaughtered. Braves carrying white flags were murdered. The U.S. still hasn't lived down its shame over the Army's genocidal crusade against Chief Black Hawk

By Earl V. Chapin

THE SKY WAS A BRIGHT blue with a few feathering clouds, like pieces of cotton batting. The sky was a high vault out of which poured the heat of a merciless sun, a bowl which pressed like a weight down upon the bottoms where the Bad Axe River flowed into the Mississippi, in that part of the frontier known to the Indians as Ouisconsin.

The day was August 1, 1832, and it was indeed a day to remember. Black Hawk, once proud chief of the Sauk and Fox Nation, had reached the end of the Trail of Tears along which he had led his people.

In the tangled brush above which spread the branches of lofty elms and cottonwoods, a rabble had gathered, a tatterdemalion rabble of men, women and children, cheeks hollow, eyes sunken, their rib cages showing through their insect-bitten skins.

They filled the bottoms and straggled down the slopes of the valley, they poured in streams from the heights, like cattle to an abattoir. No butcher would slaughter such specimens as these, but the U.S. Army would, and the army was on their heels.

In the Indians' minds there was that one last river to cross to escape from the relentless pursuit by some 1,300 U.S. regulars and volunteer militia—a force which had hounded them through four long months. The Indians numbered about 500.

Stilt-legged elders sat on logs staring at the ground, unseeing. But the braves, some still carrying unhealed wounds from the Battle of Wisconsin Heights, labored feverishly to put together, as best they could, rafts and bark canoes with which to cross the Mississippi. Their efforts were directed by a sun-blackened Indian

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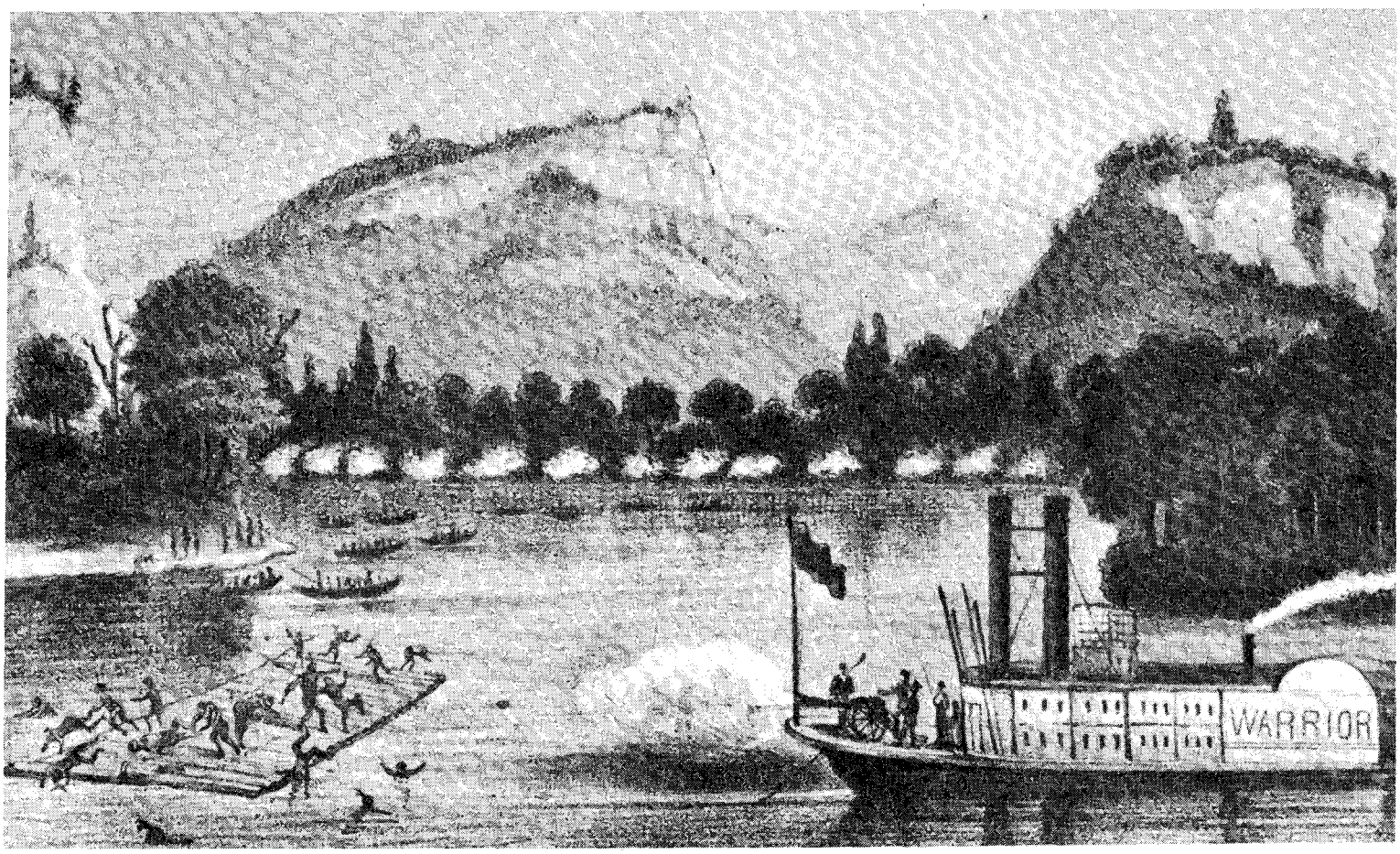

This drawing by Henry Lewis depicts the scene at Wisconsin Heights as the Indians tried to give up, but were fired upon by the steamboat "Warrior." More than 300 Indians were killed or drowned, but the major prize, Chief Black Hawk, escaped, later to surrender to General Street at Prairie du Chien.

with shaven crown and warlock. He was Black Sparrow Hawk—Black Hawk—as history was to know him.

Amid the muted sounds of labor and travail came a halloo. The chief's startled gaze swept the ridge behind them, but no sentry had given an alarm of danger from the rear.

The action was on the river, and as Black Hawk peered under the leafage he saw a steamboat approaching. As his keen vision made out the shape of the boat, he felt a surge of hope and relief. The boat was the *Warrior* —he knew the captain. Here at last was a chance to surrender and save the lives of his remaining followers. What Black Hawk did not know was that Captain Throckmorton was returning downriver to Prairie du Chien after completing an errand for the army. He had been to the village of the Sioux Chief Wabasha to tell him that the Sauks might attempt to cross the Mississippi, providing snapped. "Leave me alone; I'll be alright."

As Black Hawk later related in his autobiography, "I told my braves not to shoot. I knew the captain and was determined to give myself up to him. I took a small piece of cotton and put it on a pole and called for the captain of the boat and told him to send his little canoe ashore and let me come aboard. The people on board asked if we were Sacs or Winnebagoes. I told a Winnebago to tell them that we were Sacs and wanted to give ourselves up.

A Winnebago aboard called to us to run and hide as the whites were going to shoot. About this time one of my braves had jumped into the river, bearing a white flag. Another sprang after him and brought him to shore. The firing then commenced from the boat.

Another account states that the interpreter on the *Warrior* misunderstood, and reported that the Indians wanted those on board to come ashore, raising the suspicion that the Indians were planning an attack. At any rate, the *Warrior* opened point blank fire with its six-pounder.

There was a great scramble ashore as the Indians sought shelter behind the trees from which they returned the fire. The unequal contest continued for about two hours, and was broken off by the *Warrior* when its fuel began to run low.

As the boat made for Prairie du Chien to refuel, the Indians counted their dead. They numbered 43 souls.

The Indians were well aware of their precarious position. A hostile boat was on the river and the pursuing army under General Henry Atkinson could not be far behind.

This produced a crisis among the Sauks and a number of the warriors started north along the Mississippi, believing that a better chance for life awaited them if they joined the Chippewas. The defection was not enough to stop the building of craft to cross the river, which was then proceeding.

Time was running out for the Indians. By early morning General Atkinson's outriders had reached the mouth of the Bad Axe and the quarry was cornered.

It was August 2, 1832, when the battle was joined. "It appears," says one historical account, "that the savages raised the white flag for the purpose of surrendering, which was either not seen or not regarded, and fire soon became spirited."

General Henry, hearing the sound of rifle fire, hurried his men forward. General Atkinson got his troops ready for action, placing Colonel Jones and Major Ewing in front, and called for a regiment from General Henry's brigade to cover his rear. All dismounted and marched on foot down the bluff into the bottoms. Soon fire was opened on the main forces of the enemy.

About a half hour after the battle commenced, Colonel Zachary Taylor with his infantry and General Dodge with his squadron arrived at the scene of carnage and joined the slaughter of the Sauks.

Many squaws began swimming the broad and sinewy Mississippi with their children on their backs. Many were drowned—and some shot—before they reached the opposite shore. Says one authoritative account, "The Americans

(Continued on page 60)

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DENVER AND THE

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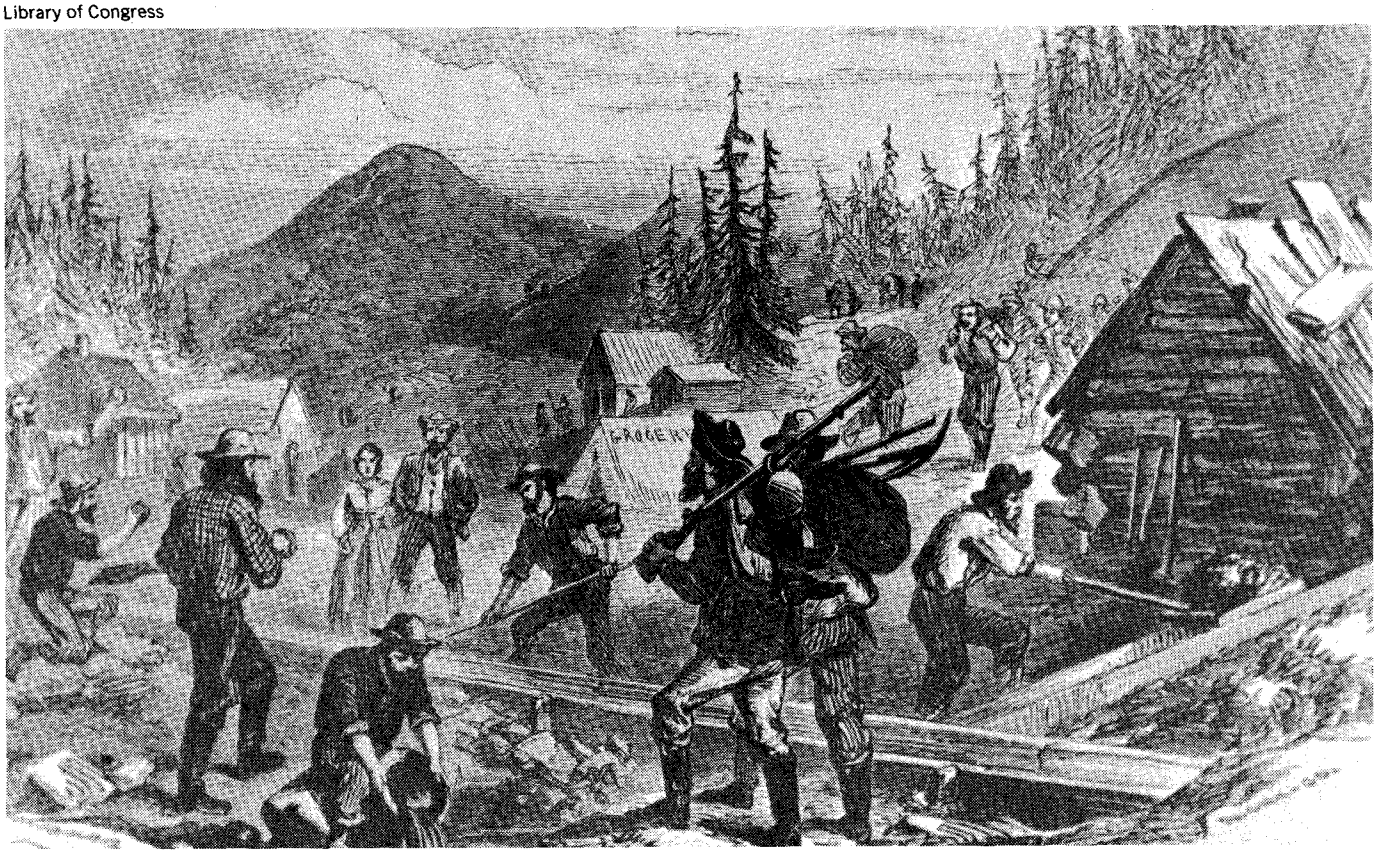

Gregory Gold Diggings, Colo., May, 1859, note tent with "Grocery" sign on side flap; surprise of rugged scene is the lady.

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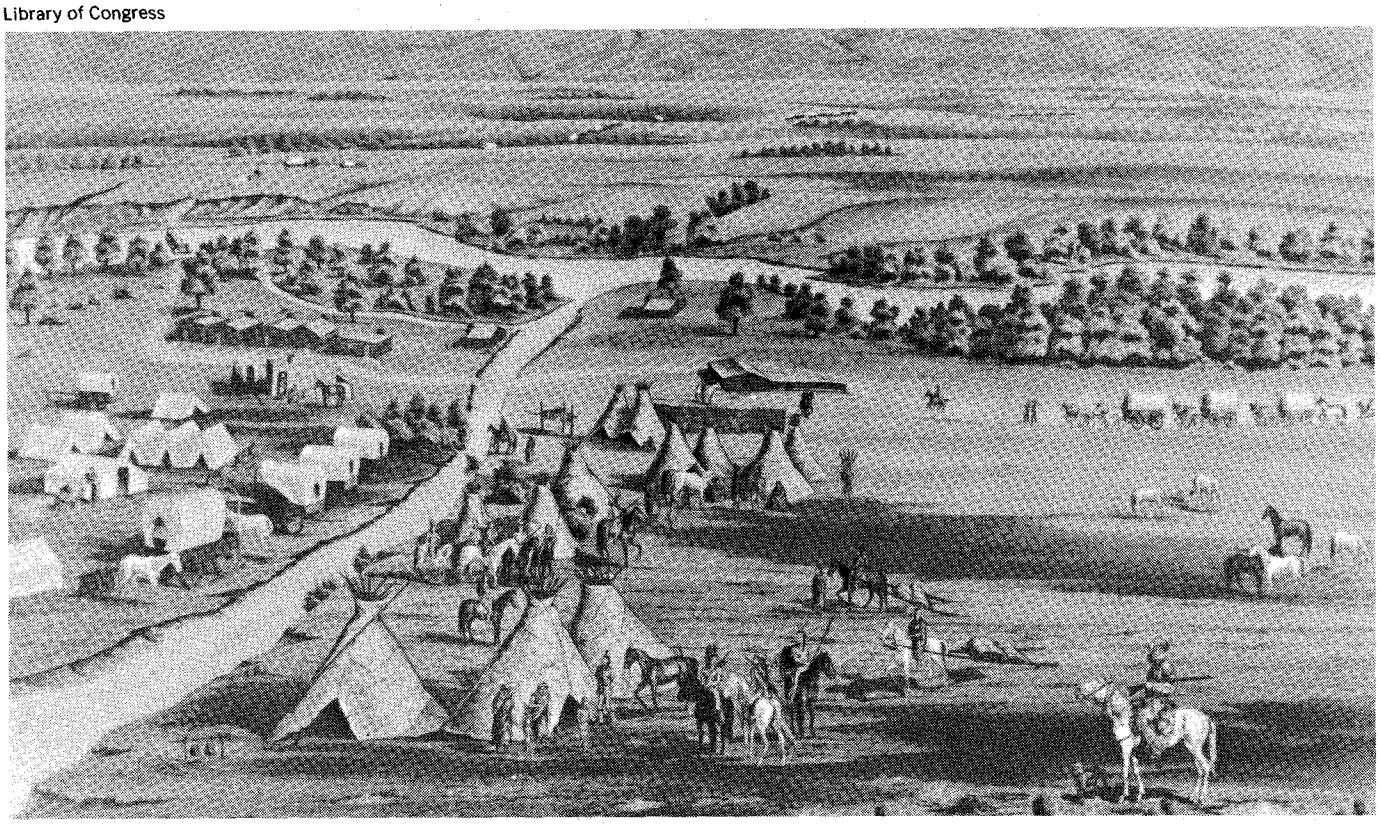

Denver in 1859, frontier town on high plateau; note prairie schooners to left and right of Indian camp, center.

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MOUNTAINS OF GOLD

What the jubilant miners found up Dry Creek, about two miles from the Platte River, was scale gold, about as coarse as wheat bran, coarser than any they had found anywhere on the plains

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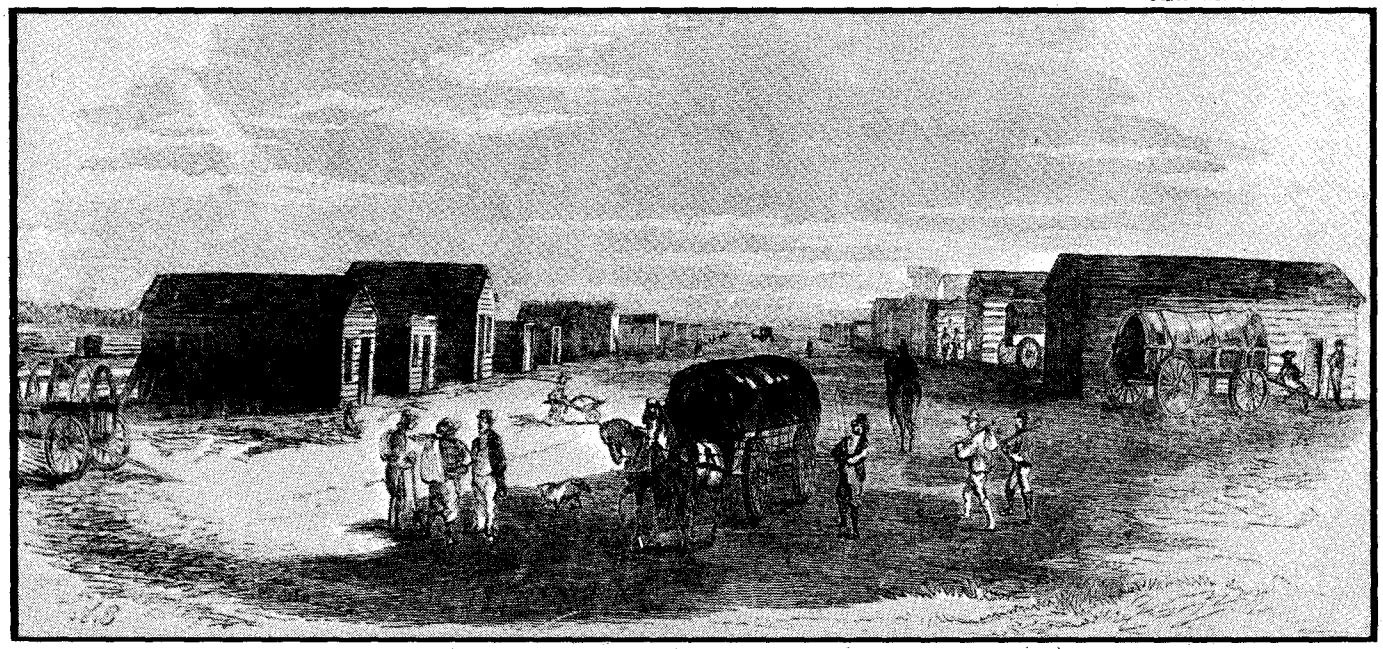

Pikes Peak Street in Denver City, Kansas Territory; a raw frontier town later to burgeon into great city.

In the summer of 1849, John Beck, a member of the Cherokee Nation, was taking a herd of thoroughbred horses to California with his brother Sam and four other members of the Nation. Reaching Camp Lyon, on the Arkansas River in October, they were persuaded by James Dempsey, a government agent, that it was too late in the season to attempt to cross the mountains. At his suggestion they established a camp at the junction of Cherry Creek and the Platte River.

Here they built two cabins on a sandbar on the south side of the river and spent the winter prospecting for gold along the banks of Cherry Creek. They found gold at several places along the creek, particularly at a point 16 miles from its mouth. This gold they preserved in quills made from the feathers of wild geese they shot for food.

Early in 1850 the party broke camp, crossed the mountain range by Bridger Pass in Utah (now in Wyoming) and went on to California where they were successful at mining gold at Downeyville, California.

While in Downeyville, Beck met Green Russell, who had come from Georgia with his brothers Levi and Oliver. Since Beck was also originally from Georgia, having mined gold on the old Cherokee lands, the two found common interests.

Discussing their trips, the two men discovered that each had found gold in the Rocky Mountains. They became fast friends and often discussed the possibility of seeking out the gold they had seen in the Rockies, though no possibility arose until they decided to sell their holdings and return to their respective homes in 1857.

Before parting, they agreed to form a prospecting group to go into "Western Kansas" and prospect for gold. They were each to form parties in his own home grounds, and plan to meet on the plains at the Big Bend of the Arkansas River.

The next spring, on April 25, 1858, the meeting took place as planned at the Big Bend of the Arkansas River. Green Russell had gathered together 28 men, while John Beck had 78, making a total of 104 Georgians, Cherokees, Arkansans, Missourians, and others who had joined in Kansas. Most of the prospectors were outfitted for the trip with ox teams and six months provisions.

Leaving the Big Bend, the party proceeded to their destination, stopping only on Sundays, until they reached the head of Cherry Creek. There they found gold, as Beck had said, although they stayed only a couple of days and did not work the ground because the gold was present only in small amounts.

From the head of Cherry Creek the party went on to the Platte River, where they camped at the mouth of Cherry Creek on May 23, 1858.

Prospecting up and down the Platte, they found nothing of value, so they crossed the river and traveled up to Ralston Creek, camping where Beck and Ralston had found gold in '49. This was about a mile above the junction of Ralston and Clear Creeks, a quarter mile or so west of the old Cherokee Trail.

They prospected up and down Ralston and Clear Creeks, then back into the mountains for about 5 miles. There was gold in every pan, though not enough to cause any excitement.

It was here that some of the men began to grow disheartened and about half of the Cherokee party wanted to build a fort or stockade and make a permanent camp. There was no uniform agreement on this—some members of the party could

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Two-story structures in hill-rimmed Black Hawk City shows commercial vigor; church indicates spiritual growth.

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This is reputed to be the first cabin built in Denver (1858).

First 2-story structure was built by Richens Lacy Wootton.

see no future in such an undertaking, and the Cherokee group decided to split from the rest. Accordingly, on June 10 the Cherokee party left the camp, except for a few people who had joined them along the trail.

On the very day they were left alone, those remaining went up the Platte to make a camp at the canyon, 12 to 15 miles from the mouth of Cherry Creek. Chance ruled that three and one-half miles up the river one of the prospectors was lagging behind the rest and stopped to inspect a bed of alluvial gravel. Under it he found a conglomorate of cement bedrock that looked promising. He hurried to catch up with the wagons, got out his pick and shovel, then rushed back to wash out a few pans of the gravel. Every pan showed colors.

Unfortunately the deposit was small and in the several days the hard-working miners camped at the find only about 200 dollars in gold was taken out.

In the meantime, Green Russell found another deposit in a bar up Dry Creek, some 2 miles from the river. They got $2.50 out of one panful of the gravel—which excited everybody. The prospectors took out about $250 from this pocket in a single day. The find was scale gold, about as coarse as wheat bran, coarser than any they had found anywhere on the plains.

During the first month after the split-up of the group, the miners seemed completely isolated—not a human of any kind was seen. Then one day they saw a man on horseback riding toward them. It proved to be a man named Cantrell, from Kansas City. He had been to Fort Laramie in the Black Hills trading with the Government troops when he heard of the prospecting party, and decided to pay them a visit.

Cantrell stayed a few days, filled a sack with the pay dirt, then went on his way. A few days later, a Captain Dice with a couple of companions bound for Mexico came by; they had been to Fort Bridger in Utah, and visited for a few days before going on to Taos, New Mexico.

It was now getting on into August. With snow expected at any time everyone agreed that they had better get out of there. So they turned south and about ten days later were again on the Platte, where Denver now stands.

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A working miner with this broadside to peruse quickly progressed from tenderfoot to old-timer.

There they found that several small parties had arrived from Lawrence, Omaha, Council Bluffs and other towns on the Missouri River. The Russell party was no longer alone.

But what to do for rations? They were 700 miles from the nearest source of supplies. The Russells wanted to go home and return the next spring with some of their friends, but the group only had about $500 among them; that was not enough to buy provisions and go home, too. Accordingly, some of them decided to wait it out on the Platte, while others of the group went to Fort Garland (then in New Mexico but now in Colorado) to buy supplies. There, to get a little more money, Levi Russell sold his watch to an *(Continued on page 52)*

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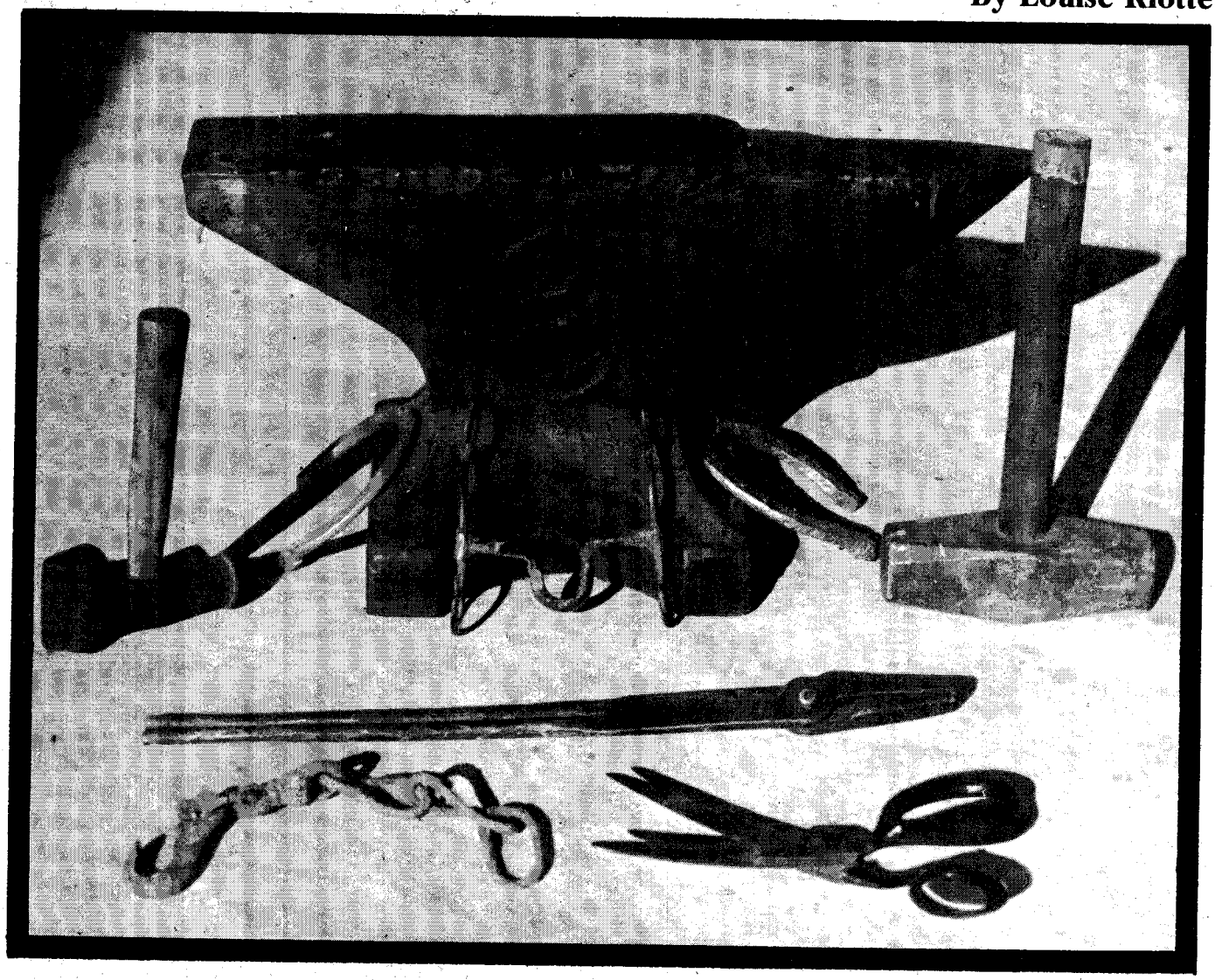
"THE POOR MAN'S CANNON"

By Louise Riotte



The handy blacksmith's anvil is flanked by horseshoes, a hammer for turning and shaping plow points (left) and a sledgehammer (right). In front are a hand-forged stay chain, a pair of mule shears and an old pair of blacksmith tongs. A silver inlaid bit rests against the center of the anvil.

Gamblers bet on them and Indian attacks were repelled by them. They were used for sport and for labor. Who'd have thought such a simple object as a blacksmith's anvil would have played such an important part in the history of the West?

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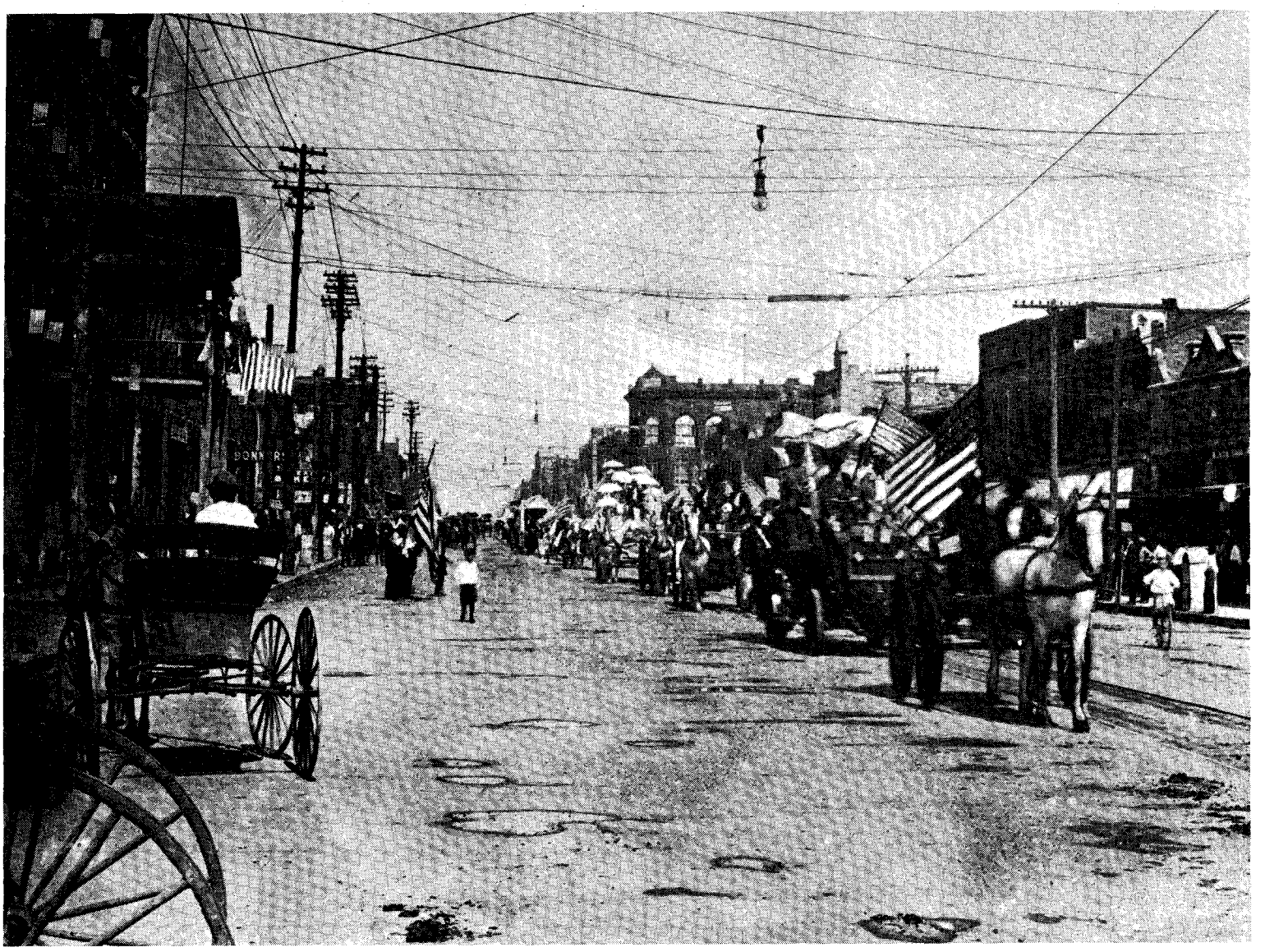

Flags fly from nearly every building during this Independence Day celebration and parade in Ardmore, Indian Territory. The ladies paraded as well, as the parasols in the fourth wagon indicate. These settlers often repelled Indian attacks with the "poor man's cannon," the blacksmith's handy anvil.

MIGHTY INDEED WAS THE sport of anvil shooting, which was most often a part of many Fourth of July celebrations. To do this properly two anvils were required. Further, there was a great bustle of activity leading up to the shoot. Anvils were paired for size as nearly as possible, precious black gunpowder was pooled and wood was gathered for great, roaring bonfires. (Thus was the scene set for this exciting, backwoods drama.)

Then came the tremendous climax. The first anvil was flipped on its face. The hole in the bottom was loaded with black gunpowder, leaving a powder trail to the edge of the base. The second anvil was placed on top of the first. Fire pokers, tied to long poles, were heated to a "cherry red" in the bonfires—then swiftly arced to touch the powder trail. The soul-satisfying boom of the powder on the iron could be heard for miles!

Just how anvil shooting came to be born no one really knows—I have found it impossible to trace it back to its origin. Perhaps somewhere on the American frontier a bewhiskered, buckskin-clad, hell raising, freedom loving individual somehow related the gunpowder in his horn to the anvil and the shoot came into being.

First and foremost, however, the anvil shoot was a form of celebration, principally for the Fourth of July but considered suitable also for Election Day, Christmas, New Year's Day and even marriages of important persons.

While cannon fire was customary to celebrate such events, such big guns were unavailable in many parts of the country but anvils, at that time, were just about everywhere—even in the most isolated hamlets and rural areas throughout the nation.

In early America at the turn of the century each settlement had a blacksmith and also just about every man who farmed or ranched owned an anvil also, and was a part-time blacksmith himself.

And—since cannons for everybody just weren't available and anvils were—this affair of the anvil shoot came to be commonly known as "the poor man's cannon."

There are a lot of interesting facets to the story of anvil shooting, not the least of which was the sport of betting on the anvils.

Anvils were always shot in pairs and usually a different individual owned each one. It just naturally came about that each man wanted the honor of having his anvil jump the greatest distance. So, if betting was the order of the day, after the top anvil took off into the air and landed—scattering the delighted onlookers in every direction—the distance thrown was carefully measured.

Then the position of the anvils was reversed with the anvil which was on the bottom the first time being placed on top, and the same quantity of carefully measured black powder being again placed between the anvils.

(Continued on page 56)

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THE DEAD SLEEP LONELY

Because a few determined people persisted in unravelling the mystery, the story of a family's agony was unveiled, and a tiny grave properly identified

by Maurice Kildare

For three quarters of a century a lonely grave under an alligator juniper near Elden Spring at Flagstaff, Arizona has posed a mystery of early frontier times. A dozen stories have accounted for it, none of them anywhere near the facts. Most versions assert that the occupant is a little girl killed during an Indian attack on the family home which once stood nearby. Others claimed she died from natural causes.

For want of an identity she was called "Little Miss Elden" because her grave was near the base of that mountain against the San Francisco Peaks. Not liking mysteries in my own back yard where I have spent a lifetime. I have dug into the circumstances for many years. Item by item the true story of a wanton, senseless murder followed by an intensive pursuit, has been pieced together. The lonely sleeper is not a little girl with golden curls, but a little boy.

The blast of a rifle re-echoed from the surrounding forest on a crisp September morning in 1887. But there was no whining sound of the bullet marking its passage as the mother, two daughters and the six-year-old son worked—or played—near their log house.

Suddenly both girls cried out in terror. Little John, tagging along with them from the spring where they drew water, lay on the ground. Not one sound had he uttered as he fell on his back, his curly light brown hair coloring fast with bright red blood.

Dropping the filled water buckets Mrs. Elden flew to him, kneeling beside him on the ground.

"Johnny!" she cried in anguish. "Johnny."

He would never answer her. His sightless eyes were wide open, staring up at the blue sky. Gathering the small body tenderly in her arms, Mrs. Elden started toward the house. The girls, Helena, ten, and Eloise Felicia, eight, rushed ahead to open it for her.

THEN John Elden rode west to see his nearest neighbor, Phillip Hull, his family had gone to the spring to draw water for the day. Little John went along, chattering constantly, excited by the singing birds in the timber and a sudden darting rabbit in the scrub.

The spring flowed from a great granite cliff of Mt. Elden, named for John Elden, who first settled there in 1872. The path to it descended into a draw where catch basins had been constructed to water a band of sheep and a hundred head of cattle. The small spring flow supplied that many but no more.

When their buckets were filled they ascended the rounded side of the draw, only to be confronted by about forty big Missouri mules trotting towards the spring. The sheep were watered every other day and this was their day. If the mules emptied the catch basins there would be none for the sheep.

Concerned, Mrs. Elden and the girls set their buckets down and chased the mules away by tossing stones at them. As they started for the house three riders broke through the heavy timber. The foremost, a beetle-browed, dark complexioned burly man they knew by sight was Robert (Bob) Roberts. Roberts was a teamster who sometimes passed on the trail over the mountain bench to the small town of Flagstaff below.

Mrs. Elden spoke firmly. "Mr. Roberts, you know we must hoard this water for our stock or they go without."

"I can't help that," the fierce looking man answered. "Them mules has come a long ways and are thirsty. We're going in!"

"Please go on to Hull or Clark Springs where they have no shortage of water."

She also wondered why, when rounding Elden Mountain on this same trail, they had deliberately passed up two other watering places. That they chose this remote spring in particular was puzzling to her.

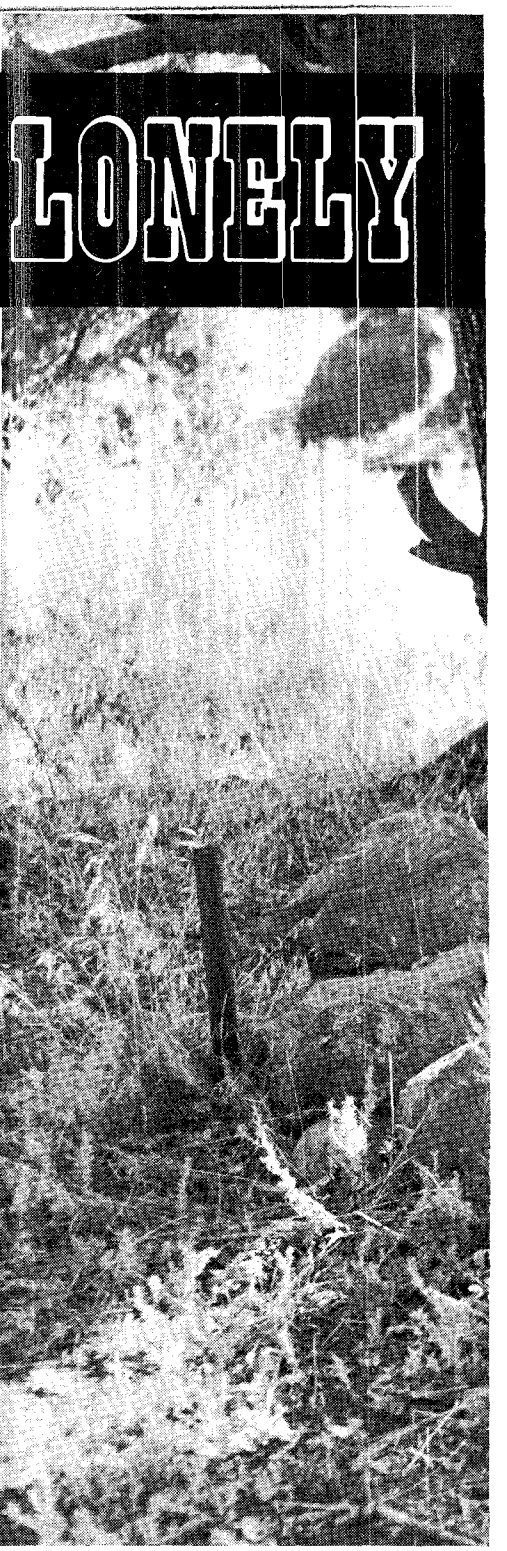
"Stand aside, woman!" he snarled at her with an oath. "We're driving them mules in!"

"Oh, no, you're not," Mrs. Elden warned, exasperated. "We will chase them away as fast as they get to the head of the draw. My husband will be in directly and you'll have to deal with him."

Roberts sat his saddle scowling at the determined woman and glancing toward the timber, wary of Elden's sudden return. The hardy stockman would send him packing, he knew. Roberts decided against risking serious trouble with him.

Swearing bitterly, he turned to his companions. "Let's round them up!" he ordered.

As the group disappeared through the timber back in the direction they had



Roy Fanning inspects the grave

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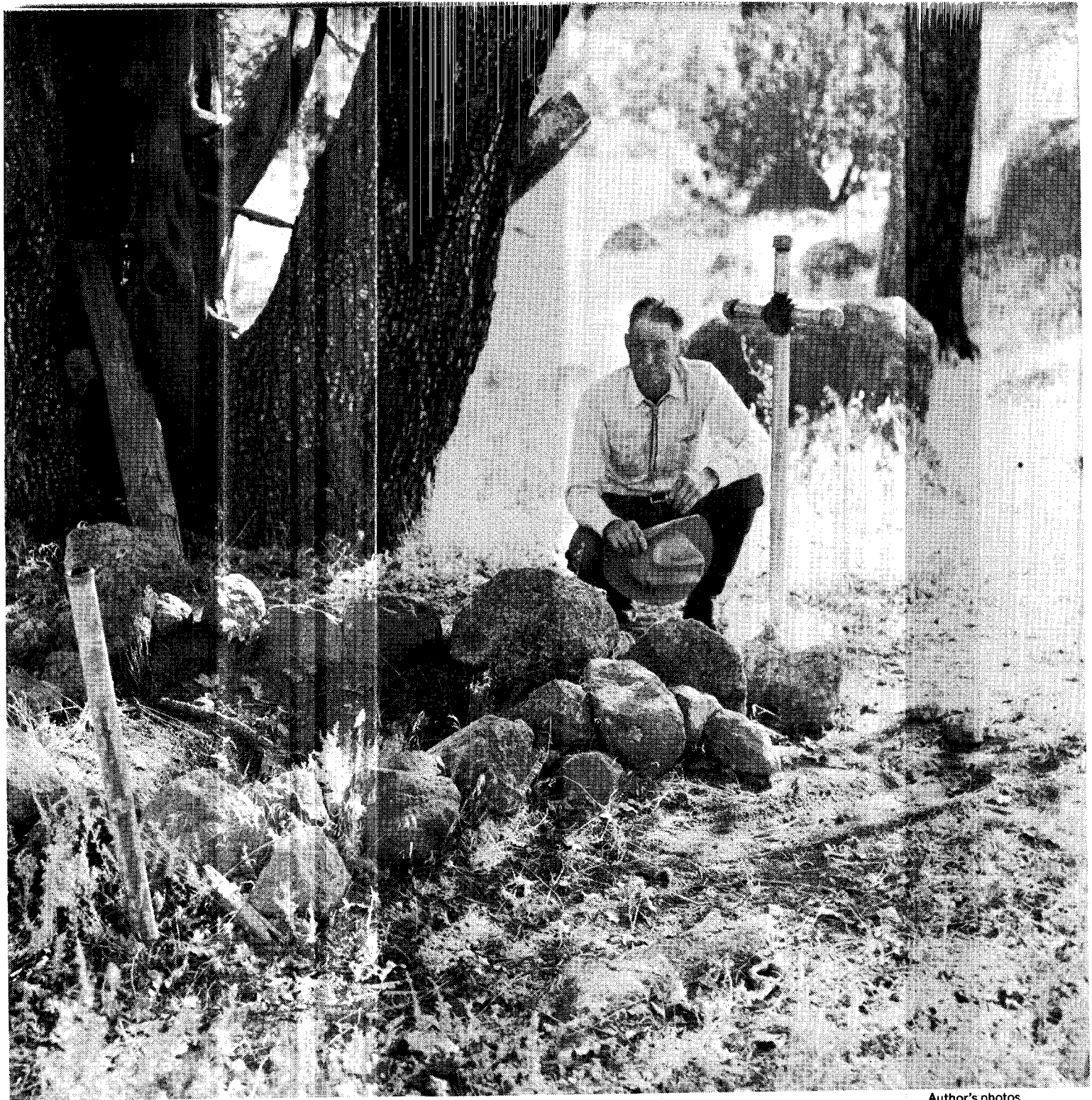

Author's photos

of Johnny Elden which he has been devotedly tending for years. He thought it was a little girl who rested there.

come from, the family started on for the house. Then came the devastating shot. As her head lifted towards the source Mrs. Elden saw Roberts vanish into the dense pine forest, booting his saddle gun.

It was hard to believe that even a hard-case would deliberately kill a small, harmless boy. But neither then nor afterwards did anyone learn why he did it. The supposition was that in a pique of anger Roberts fired a wild shot, expressing his spite by frightening them. Again, maybe he deliberately aimed at the family group from long range, *hoping* it would kill one of them. His bullet found young John.

While Mrs. Elden wept Helena hurried to the barn corral, about three hundred yards down the slope from the big log house. Bridling and saddling her pony she raced west to find her father at the "Old Man" Hull ranch.

Her father, Hull, and a cowboy named Peter Hamon (Pete) Brogdon, were at the stock barn when she arrived. Lifted from the saddle by her father she wept bitterly in his arms, unable to talk. Realizing something very serious had happened Hull and Brogdon hastened to throw saddles on their broncs. In times of stress settlers helped each other unasked.

Finally Helena managed to say that John was dead, and recount part of the tragedy. Enroute to Elden Spring, Brogdon cut out at a south trail fork for Flagstaff. He brought back a doctor who could only confirm that little John had been killed instantly.

Several men arrived after him, having learned of the shooting from Brogdon. Soon other friends of the family came to help. A plain, small pine box was quickly nailed together and lined with cloth. That afternoon at one o'clock

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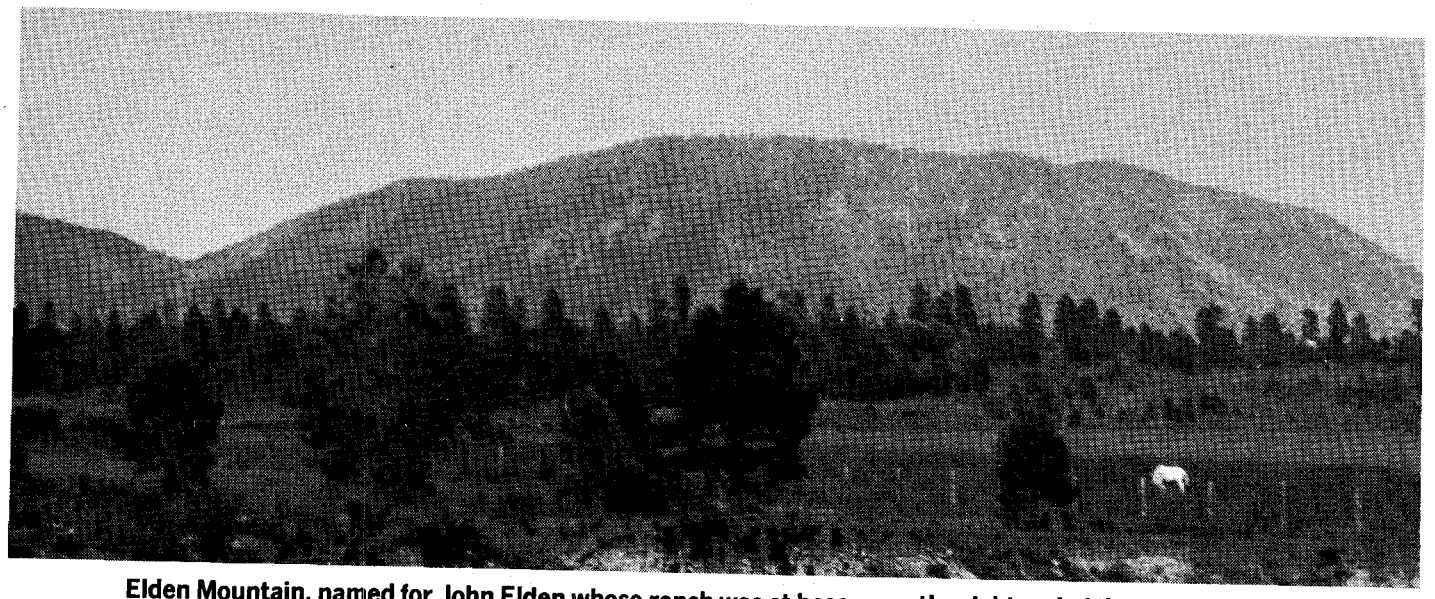


Elden Mountain, named for John Elden whose ranch was at base, near the right end of the mountain.

the boy was buried under the spreading juniper tree.

Even before the funeral ended Elden grimly prepared to take after the slayer of his only son. Hull asked for volunteers to form a citizens posse. As soon as the grave was filled, Elden, Hull, Brogdon and four others took up the trail of the mule herd.

Quitting the Mt. Elden trail where it cut over between a railroad siding at Cliffs and the Gore ranch, the three hardcases had driven the mules at a run for the Little Colorado River, which marked the boundary of the Navajo Indian Reservation. Just before sundown the posse found where the mules had been watered at Roden Spring, but night put an end to trailing, so the posse camped across the river above Grand Falls.

The men were ready to ride when the first gray streaks of dawn made tracking possible. The mules had been rushed on upriver during the night. The murderer was escaping fast, gaining on the pursuers that he obviously expected to be following him.

North of the river, where Leupp now is, the fleeing men made a short halt. By moonlight the mule herd was cut. Two riders took twenty head north into the vastness of the big Indian country. One lone rider drove the remainder on upriver.

Examining the signs at length Brogdon announced, "Tracks of this rider's horse are the same as those we found where Mrs. Elden said Roberts fired from."

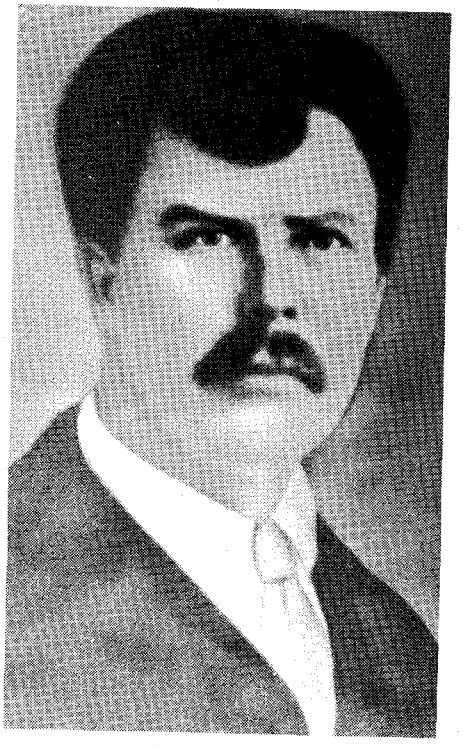
Following a brief discussion four members of the posse decided to take after the two riders and their mules. Overhauled, they could be brought back to Flagstaff as witnesses against Roberts. The four made a long, hard ride, but eventually returned from the San Juan river empty handed. By that time news reached town that the mules had been stolen by the three hardcases in central Arizona.

Elden, Hull and Brogdon, electing to stay together, went after Roberts. They wore their horses down trying to catch up, but not once did they come within sight of Roberts' dust. Pulling off, they ate rations carried in their saddle bags. At moonrise they tracked again, watching sand spits and bare soil for evidence of unshod mules. They were in wide open, wind blowing, sandy hill country.

Soon tiring of the slow trailing Hull made a suggestion. "There's a trading post on a wash up here a little ways. Let's go see if they can tell us anything there."

Although it was after midnight they awoke the trader, who informed them that he hadn't seen a small band of mules that day, but a lone rider had ridden in from the south, buying a few provisions. His description of the stranger fitted Roberts.

Elated, the three rode back to the vicinity of the course they had been following and rested until daylight. They started tracking with first light, but they never saw the sun that day at all. The skies turned yellow with high blowing sand. Soon they rode with wet bandannas protecting their faces from tiny quartz particles. When the ground signs were wiped out the found themselves lost in a strange land. Fortunately they struck the edge of a vast canyon and timbered plateau country. In the protection of a defile they holed up to wait out the storm.



Peter Brogdon helped track killer.

A REGULAR trail passed through this area where few Indians lived. It was notorious outlaw country, familiar to thieves and killers running from the law. In those days New Mexico and Arizona were infested with them. Indians near the get-away route cared nothing about mixing in white men's affairs. When asked questions they simply shrugged their shoulders with the word, *"Hola"*, which has about the same meaning as *"Quien sabe?"*

The next day the three weary, red-eyed men returned to the old trail. Here and there they detected evidence of the passage of a small bunch of animals. On emerging from an area of massed canyons they entered timbered rolling country. But a second sandstorm struck suddenly, and they were lost for two days, seared by hot winds and biting sands.

Impatiently Elden kept boring in, until he was unable to fool himself any longer about being lost. They found water occasionally but no human habitation, and their grub soon ran out. Despondent, Elden holed up in a protected cove between timbered hills.

"But that dastard sure headed this way!" he declared bitterly. "We must keep on!"

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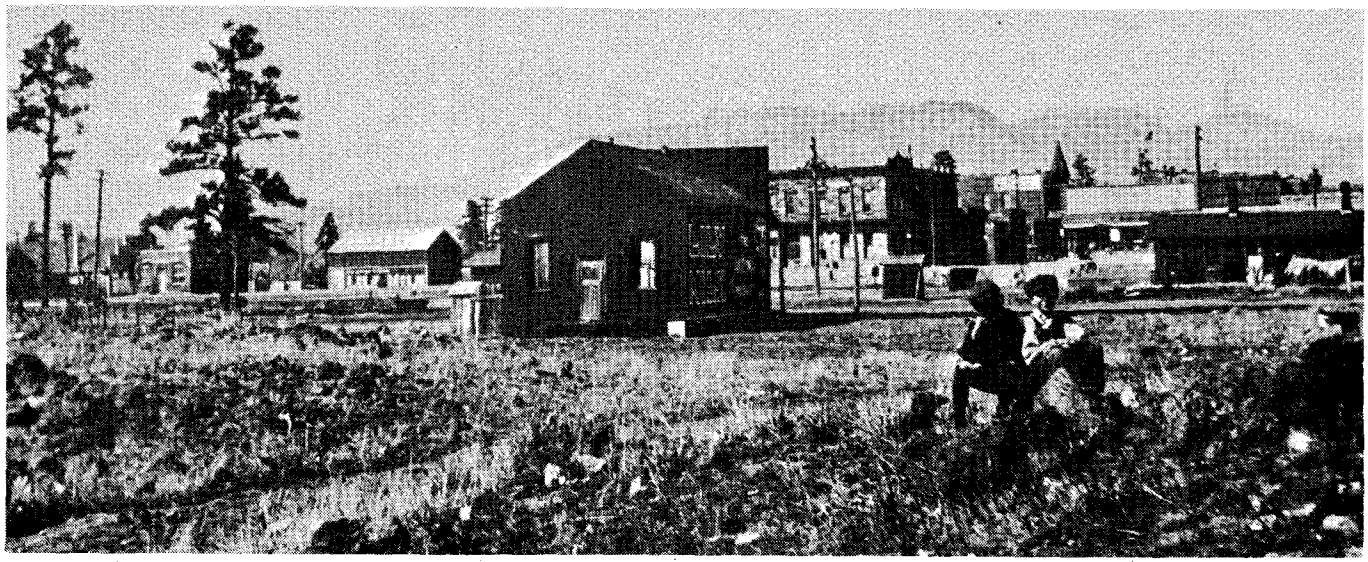


The business section of Flagstaff, Ariz., in 1887, about the time little Johnny Elden was shot from ambush.

Neither Hull nor Brogdon protested despite very near exhaustion of themselves and their horses. Belts were tightened over empty bellies as they resolutely remained with the stony faced father. But unless they found something to eat and obtained fresh mounts, the miles ahead would bring only disaster. Only their friendship for Elden would keep them going until their horses fell in their tracks.

Elden was a thin man weighing a hundred and fifty pounds. Looking the Falstaff area over in 1872, he liked what he saw and went back to California only to return, trailing in a band of sheep and a hundred head of breeding cattle. At that time he built the house of heavy, squared pine logs. His claim near the spring at the base of the mountain, which was to be named for him when other settlers followed, was always a source of great satisfaction to him.

In 1876 he traveled again to California, There he was married and he brought his bride to Arizona in a covered wagon over Hardy's Ferry. The following year Helena was born, the first white child in that area. Then followed Eloise, in 1879, and John in 1881.

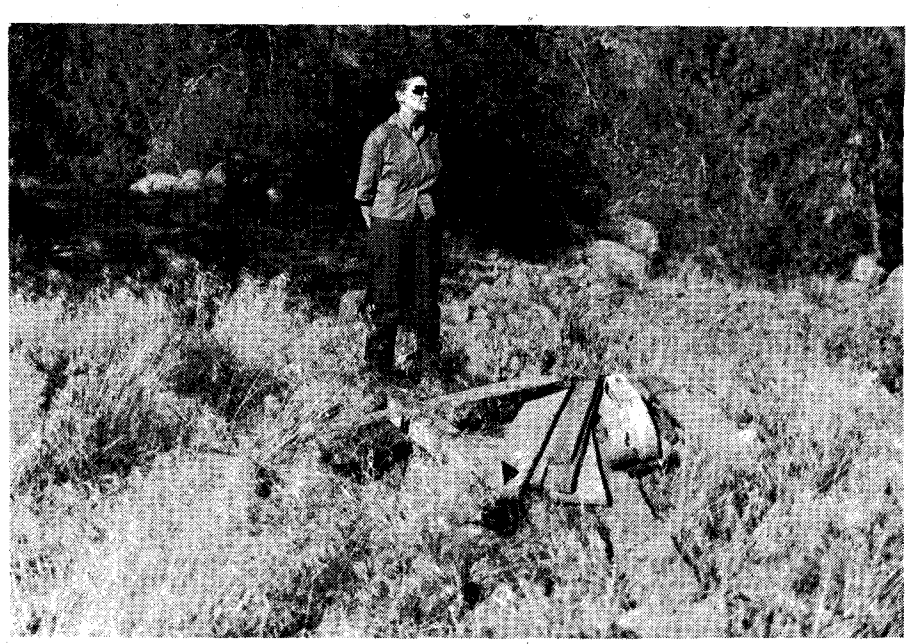
The brutal murder of his son struck Elden a blow from which he only partly recovered in ensuing years. The sorry deed would change his entire life, and send him to the fringe of another and wilder frontier.

THE SECOND storm drove Elden into depths of despair as he waited for it to end. Surely the killer would escape justice. They couldn't move. Venturing only a few yards from camp meant becoming lost in a blind cutting world. Horses were held on lariats fastened to their bodies. Then, deep in Apache County, they suffered cruelly from thirst before morning came.

Hull declared, "Roberts has gotten

(Continued on page 62)

Only small trickle of water flows today from Elden Spring.



Only these few weathered boards mark site of Elden family home.

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Winnemucca was sure his bad sickness was due to his young wife's desire to be rid of him, so the old chief sought to stave off death by sacrificing the pretty young squaw and their two-year-old son...

Strange Sacrifice of Winnemucca's Young Wife

by Earl Snipes

Author's photo.

Thought to be likeness of Winnemucca as a young man.

ON THE NIGHT of October 21, 1882, a large band of Paiutes was camped near Coppersmith's Station in the upper end of Surprise Valley, near the present day town of Eagleville, California. Although the camp was moderate in size, it was preponderant in prestige. It consisted of some 100 braves, along with their squaws and children. The man responsible for the prestige was old Winnemucca, the Chief of all the Paiutes.

Old Winnemucca and his entourage had left Pyramid Lake in northwest Nevada in early September on a leisurely journey through the desert to Fort Bidwell, on the Oregon, California border. His reason for making this unlikely trip has been lost with the passing of time, but it was undertaken when he was very old, and in extremely bad health.

Besides the hundred or so braves and their families, the old chief was accompanied by his young wife, their two-year-old son, and a grown son by a former marriage, named Lee. The party was well provisioned and well mounted, and the Fall weather of the high desert, with its warm days and cool nights, gave little cause for concern.

The old Chief's son, Lee, rode in the van of the column, setting a leisurely pace that would serve to conserve his father's strength. The slow pace, too, permitted the squaws to lead their travois-laden ponies through the sparse sage-land with a minimum of effort. Young bucks on swift ponies ranged on either side of the band, shooting deer and antelope from the numerous herds that ranged the desert.

Old Winnemucca rode slumped low in his saddle, growing weaker with each passing mile. As they neared Coppersmith's Station, the Chief's son reined his horse and fell in beside his father. "We will soon be at the stage station," he said. The old man's nod was barely perceptible.

"Perhaps it would be well to stop for a time so that the squaws might rest," the young men said.

Again old Winnemucca nodded, then said in a voice that was barely audible, "Perhaps it is I who need the rest. But it is doubtful that I will be cured by rest alone, for I have been bewitched."

Young Lee looked at him in surprise. That was the first time that he had heard of any curse being visited upon his father, and he said nothing. He kicked his horse into a gallop and rode forward to oversee the making of camp.

The camp was set up on a semi-permanent basis. A warm wickiup was erected for the old Chief, and many other families followed suit, building wickiups of their own. Several days passed and the old Chief grew steadily weaker. Many of the tribe were convinced that his death was near, and some of the squaws began cutting off their hair in preparation for the period of mourning.

On the night of October 21, he lay in his wickiup wrapped in a rabbit skin robe. Although his feet were encased in a bed of warm ashes, a squaw who was in constant attendance fanned him with a small bush to cool his fevered brow. He awoke from a restless sleep as his son Lee entered the wickiup bearing food and medicine, which he had obtained from the white men at Coppersmith's Station.

But the old Chief pushed the

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proffered food and medicine away, saying, "The food and the medicine will not help. I am bewitched."

Young Lee stared silently at his father. He had been many times to the Honey Lake Valley, Reno and other settlements of the white man and had adopted many of their ways. Still, the blood of the Paiute coursed through his veins, and many generations of superstition was instilled deep within him. "Why do you say this?" he asked uneasily.

"My God, the Wolf, has again come to me and said that I am bewitched, and if I am to again be well, the curse must be lifted."

Young Lee waited silently for the old Chief to continue.

"The Wolf came to me in a dream when I first became sick on the trail many days ago," old Winnemucca, continued. "Tonight he again came, but again he has left. He says that Nowoka has put a curse upon me, and that I can never again be well while she lives."

Young Lee effectively hid his surprise, for Nowoka was the old Chief's young wife, and mother of his two-year-old son. "What is to be done about Nowoka, then?" he asked his father.

Old Winnemucca's instructions were explicit and to the point. The young squaw was to be stoned to death this very night.

Lee found young Nowoka pacing restlessly under a nearby tree. She was small, pretty and hardly more than a child—perhaps seventeen years of age. When he informed her of the old man's decision she said nothing, and showed no emotion. It is likely that she was aware of the old man's superstitions and was expecting something of this sort. Lee then ordered her to proceed to a nearby spring to strip and wash herself thoroughly, so that she would be clean when she met the "Great Spirit." Without a word, she turned and entered her own wickiup.

Presently she emerged from her dwelling and went to the spring, where she did not wash herself as directed, but instead, she brought forth a thong of antelope skin from her clothing, climbed a nearby juniper and hanged herself from a convenient limb. But she was not to escape her fate, for a brave who had been dispatched to follow her, anticipating such a contingency, quickly cut her down, and the grueling ceremony began.

The squaws now came forward and took charge. They quickly stripped the young girl, and washed her in the icy waters of the spring. They dried her thoroughly, and powdered her body with fine dry ashes. She was then marched back to camp and turned over to the waiting braves.

Some 100 warriors were waiting. Practically everyone in camp had gathered by this time. They quickly formed a circle around the naked, barefoot girl and marched her into the hills a short distance from Coppersmith's Station. Her young son was carried by one of the braves.

After a long march through the night they reached a small, flat clearing among the rocks and junipers that suited their purpose. A buckskin thong was tied to one of the girl's ankles, and the other end was secured to a stump in the middle of the clearing. Then her young son was returned to her arms.

The bucks then scattered to bring in wood for the fires to be used in the ceremony. When a sufficient amount had been gathered, large fires were built in a circle around the outer edge of the clearing. After the fires were lighted, each buck brought in a number of stones the size of a man's fist which were laid in piles within the circle of light, and when all was ready, the Indians joined hands and began moving around the young squaw and their monotonous chant went on endlessly.

All during this time, the terrified girl clutched her son close and looked wildly around for some means of escape, but the stout buckskin thong kept her securely anchored to the stump. After an interminable time, the movement around the young squaw stopped, and one of the braves broke the circle of hands. He stepped into the ring and began to harangue them. As he continued to speak the pitiful squaw gave forth piercing shrieks that were completely ignored by her executioners.

The circle of bucks, still clasping hands, listened patiently while the speaker explained the reason for the stoning that was to take place. Had not the squaw bewitched their Chief, Winnemucca? Had not the old Chief's personal God, the Wolf, come to him in a dream, not once but twice, and informed him that his young wife wished his death? And had she not put a curse upon him? As all Paiutes knew, in the beginning the wolf, along with the coyote, had been man and had created the earth. They had then turned themselves into animals so that they could be Gods to the Paiutes after they had finished their work.

They also knew that the wolf was the cleverest of all the animals, and watched and guarded over those that had chosen him as their God. He went on and on, his voice rising to a scream as he recited instances in the past when the "Wolf God" had saved the life of a chosen one by protecting him from war parties of other tribes; by saving him from the attack of wild animals, or guiding him through a storm, until he had reached the safety of his camp.

Was not the Wolf the all powerful God? Was he not the personal God of Winnemucca? He paused briefly for affect, then stated that the "Wolf" had ordered the death of Nowoka by stoning.

There was silence, now, except for the wails of the intended victim.

Suddenly, the speaker sprang forward and snatched the child from its mother's arms. He swung the baby around his head by its heels, while all the others yelled like demons. The young squaw had ceased her shrieking and watched the scene in horrified silence. Suddenly his gyrations stopped, and he dashed the child's head against a large rock, killing him instantly. He then resumed his place in the circle which swung around the girl, chanting as before, but with a new wild frenzy.

This continued until the one who had killed the papoose came opposite the pile of stones he had collected. Then the circling stopped and he stepped forward with a great show of dignity. He picked up one of the stones and moved to within ten feet of the girl, who stared at him in a dazed silence. Taking deliberate aim, he threw the rock with all his strength. The missile struck the girl in the side and she answered with a shriek of anguish. He then stepped back and resumed his place, and the circle again swung around, the chanting growing wilder and more primitive. Presently, the movement stopped as another Indian reached his own pile of rocks, and with great pomp and ceremony, he too selected a stone to his liking and hurled it at the pitiful victim, striking her in the stomach. He then resumed his place, and the circle swung around again.

This went on with maddening deliberation, each buck carefully refraining from striking the girl on the head, and with each wail from the squaw the screeching crescendo grew higher and wilder, until she became a mass of mangled flesh.

Then the brave who had killed the boy took up a large stone, and with great ceremony, crushed the hapless squaw's skull. For a time, pandemonium reigned as the Indians went into a wild, pagan ceremony of dancing, whooping and screaming, as they stomped around the lifeless body of the girl and her son.

Some time later the orgy stopped. The exhausted warriors dispersed and began gathering more wood, which they placed in a large pile near the bodies. When they had gathered a sufficient amount, they placed the bodies of the dead on the pile, and they set it afire. A half dozen bucks or so were left to keep the fires burning, the rest of the tribe returned to camp to impart the news to old Winnemucca that the curse had been lifted, and that now he could live in good health.

But it did not work. Old Winnemucca, the great Chief of the Paiutes, died before morning. ●

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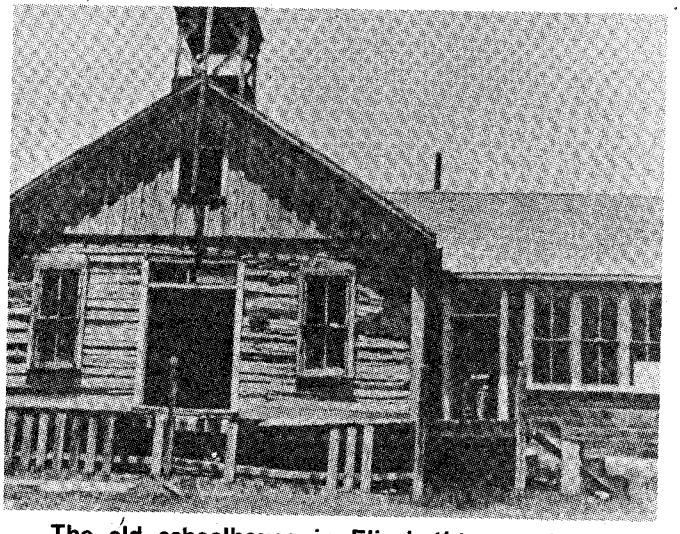
The Assassination

Photo: Courtesy Ken Murray

Reverend and Mrs. F.J. Tolby; the minister had been in the Cimarron only 18 months before he was murdered.

Author's Photo.



The old schoolhouse in Elizabethtown where Reverend Tolby conducted church services.

by Maurice Kildare

TWO COWBOYS riding the mail road through Cimarron Canyon found the dead man in trailside brush near where Ute Creek entered. The victim had been shot twice in the back.

Silenced by discovery of the bushwhack tragedy, the cowboys looked around. A rain during the past night, September 14, 1875, had demolished all ground sign. They circled the scene anyway, and thus found the man's unsaddled horse tied to a tree 600 yards off in the timber. The saddle lay on the ground 300 yards further on.

Since the killer left this valuable property behind, they decided it wasn't a shooting for robbery. Returning to the medium sized body clothed in a black suit of tailored goods, they dismounted. A brief inspection of the pockets disclosed personal effects untouched, a valuable gold watch and several dollars in money.

One of the cowboys stared harder at the face marked by a mustache where the body reclined partly on its left side. "Say,"

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# of PARSON TOLBY

The great bard Shakespeare himself would have been hard-pressed to sort out the list of characters in this tale of murder for power and other killings, plain and fancy—but the tragic events started with the murder of a man of good will...

Author's Photo.

The minister was homeward bound from Elizabethtown when he was killed on the mail road in Cimarron Canyon.

he exclaimed suddenly, "this here pore feller is Parson Tolby!"

His companion, shocked, gazed at the corpse intently. "Well, mebby he asked for it. He shore been fighting the crooks, the Ring and the Land Grant Company like all git out!"

Mounting, they hastened on into Cimarron, the seat of Colfax County in northeastern New Mexico Territory. Reporting their discovery to Sheriff Isaac R. Rinehart, they repaired to the saloons on whiskey row. Their discovery was destined to shake the territory from one end to the other. The minister's foul murder would bring about the killing of several men.

In most quarters the terrible news saddened the town. It threw a pall of apprehension and suspense everywhere. Uppermost citizens' minds was the cautiously whispered question, "What will Clay Allison do about this?"

The often quixotic gunfighting cowman, and very unpredictable in his rages, paid all clergymen utmost respect. In particular he was a friend of Reverend F.J. Tolby.

R.C. (Clay) Allison, of frontier fame, arrived in New Mexico in 1871 from Texas driving a herd of 7,000 cattle wearing his Circle A brand. He settled on the upper Cimarron River near the village of Otero, twelve miles east of Cimarron City. His half-brother, John, put in his ranch on the Vermejo River, still farther away and closer to the Colorado state line.

Soon after his coming Allison engaged in a series of brawls, usually whiskey inspired. He had killed a number of adversaries from Cimarron and lawless Elizabethtown to Trinidad, Colorado. Known as a deadly gunman when aroused, he feared neither man nor devil.

Although a wealthy cowman, he admired the hard scrabble small man trying to work out his destiny. Because of his convictions he had taken a leading hand in the oppressed settlers' fight against the Maxwell Land Grant and Railroad company. It was said he personally led night raiders against the company's outposts and organized a vigilance committee. The evidence seems to support a theory that the fighting men following him were composed of his own ranch crews. They were a capable, hardened fraternity of Texans when it came to loyally supporting their boss.

A Methodist minister from Indiana, Tolby had been in Cimarron about eighteen months before his death. The hand-

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Author's photos.

Photo depicts part of Cimarron City at about the time Tolby was waylaid and killed in Cimarron Canyon.

some preacher, his beautiful wife and their two children were loved by the entire community. He rode a kind of circuit, holding church meetings in Cimarron, Elizabethtown and in outlying ranching communities.

The notorious Santa Fe Ring of politicians then controlled all of New Mexico. At the moment they were hot after citizens of Colfax County who refused to knuckle under their yoke, which was considered rebellion. They were also trying to milk revenue from the wealthy Land Grant Company that bought Lucien B. Maxwell's entire domain of 1,714,765 acres.

From this private empire, larger than the state of Rhode Island, the company sought to evict settlers who had homesteaded years before, believing it to be public domain. There were also the prospectors and the small mines. They had been established after the first discovery of gold, while Maxwell was still master of this vast territory.

From the first Tolby had taken the underdog's part, declaring that the land titles then being investigated by the United States government, actually belonged to the Indians. He also fought the Santa Fe Ring tooth and nail, and made every effort to have criminals of the county apprehended and brought to justice.

As part of his crusade to bring law and order into the region, Tolby bought a share of the Cimarron *News And Press*. Using its pages—and also publishing pamphlets—he wrote articles exposing intolerable mob rule for the Raton *Comet*, and the New York *Sun*. He denounced all evil individuals and groups with vigor and enthusiasm. A close friend was William R. Morley, one of the editors and publishers of the *News And Press*.

Morley had come to New Mexico as a locating engineer for the Atlantic and Pacific Railroad, soon to be the Atchison, Topeka & Santa Fe. Often, he supported the Land Grant Company in the general conflict then embroiling Colfax County. Morley was against the Santa Fe Ring exploiting the territory for their greedy benefit. He believed it was a simple matter of good versus evil.

A month before Tolby's murder a very bitter election took place. Lawyer M.W. Mills was elected to the legislature, and old-line politicians had been defeated for county offices. The newly elected sheriff gave up in extreme disgust over being constantly hampered while trying to maintain law and order in an extremely chaotic situation. He could accomplish nothing, caught as he was between the Santa Fe Ring and the Land Grant Company machinations; neither of these power factions bothered to consider the public rights or welfare.

On his quick resignation Territorial Governor S.B. Axtell, nominal head of the Ring, and taking orders from Tom Catron, appointed one of their own men to the sheriff's office. He was Isaac R. Rinehart, who would comply with their bidding. In addition the Santa Fe Ring, unable to beat Colfax County citizens into line, went to the legislature, which they controlled. With hardly a dissenting murmur a law was passed throwing the county into that of Taos for judicial purposes. Holding district court 40 miles west, as the crow flies, across the Sangre de Cristo Mountains, they thus shotgunned county citizens into their complete control—or they thought they did.

R.C. (Clay) Allison, a close friend and admirer of assassinated preacher who avenged his untimely death.

This skullduggery caused Tolby and Morley to fight the Santa Fe Ring and the floating criminal population even harder, and threats were made and heard against the lives of both men. On one occasion paid killers actually arrived in Cimarron from Santa Fe. A whisper got out that they were after Morley, who then hid out in Henry Lambert's St. James Hotel until his friends rallied to his defense.

Thus it was that the rumor spread right after the murder that Tolby had been killed by mistake for Morley. The Land Grant Company men blamed the deed on the Santa Fe Ring. Anti-Granters blamed the company. Others declared that the lawless element infesting the county killed him because he agitated against their wholesale depredations. Despite all the powerful enemies Tolby made waging a cause for the common people, he had also made a great many substantial friends. Angry, they demanded justice and began an intensive search for the unknown man, or men, responsible for his wanton murder.

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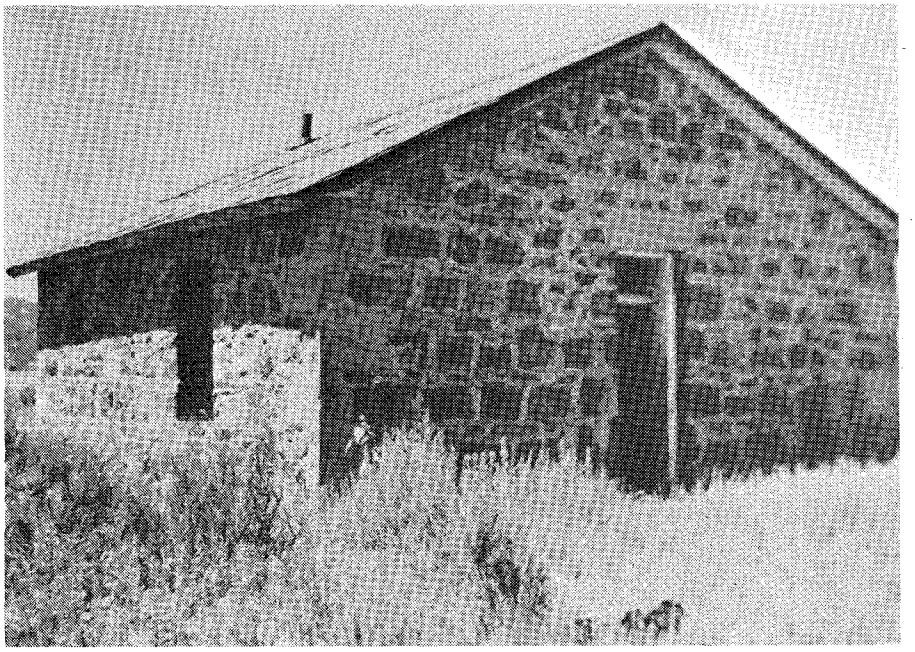
Photo: New Mexico State Hist. Soc.



Frequent violent incidents kept old Cimarron City jail occupied.

Somewhat indifferently, Sheriff Rinehart took out an express wagon to haul the body to town. Tolby was laid to rest by the Masonic order of which he was a member. A thin slab of rough stone, with Masonic symbols cut on the top, marked his grave. It read: Rev. F.J. Tolby, Assassinated, Sept. 14, 1875, Aged 33 Years.

Mrs. Annie Crocker, a friend of the family, took Mrs. Tolby and her two children into her home for safety. Because she knew some details of Tolby's evidence against the various crooked elements, it was feared her life also in danger. She remained in Mrs. Crocker's household until the estate was settled, and then returned east to Indiana.

Within a few days following Tolby's murder it was definitely established that no mistake had been made. The minister was the intended victim; his death was ordered and paid for. There also seems to have been no doubt of the identity of two men directly involved.

The question of what the six-foot two inches tall, bearded-faced Allison might do was not answered right away. Marking time, he kept a tight-lipped silence.

Not so Methodist Minister Oscar P. Mcmains, close friend of the victim. He took up the fiery cudgel that a killer's hand had temporarily knocked aside. He also wrote articles for the Raton *Comet* and the New York *Sun*, deploring outcast justice and blatant mob rule in New Mexico. He held meetings throughout the area, and aroused wide interest and comment by his unceasing activities and his demands that the killers be brought to justice.

His efforts were belittled by the ring-controlled Santa Fe Press. But the Cimarron *News And Press* reported that his meetings were attended by large crowds, and that his efforts were gaining much support.

Bit by bit McMains accumulated enough evidence to convince him that his friend's murder had been arranged for by the Santa Fe Ring. Tolby had ridden west to Elizabethtown. After holding services there he started back to Cimarron on September 14. Enroute he met his slayer, and one other man, in the canyon.

Miguel Otero, 4th Judicial District Court clerk, knew principals—later became governor of New Mexico.

On the fatal day the mail carrier, Cruz Vega, who was also the Cimarron constable, passed through the wide defile. He should have met Tolby at the exact spot where the murder occurred. McMains went to Sheriff Rinehart demanding that Vega be arrested.

Laughing loudly, the Ring's sheriff refused. This was expected, so McMains hastened to Allison. The burly cowman listened, nodded his head and opined that something should be done about such scoundrels. McMains had already interested a large number of people in actively demanding justice for the murder of the God-fearing Tolby. All were willing to do their part, and one of them was a farmer, William Low.

Allison, his shrewd mind working fast, had a session with Low. McMains, who was present, would not agree to all that Allison proposed. He declared that the man should be questioned and then prosecuted on his "confession." (Somewhat naively, he believed the constable would "sing" when tested.)

According to plan, Low went to Constable Vega complaining about thieves ransacking his cornfields nightly. Vega sympathized with him, especially when offered a good sum of money to guard Low's field after dark.

That very night, October 1, a party of masked men easily captured Vega where he dozed by the corral fence. (Later, when accused of leading the mob, Allison only laughed indulgently.)

With Vega secured at Low's house, McMains appeared on the scene and questioned him at great length. Even though badly terrified, Vega defended himself in repeated denials. In fact, he swore he knew nothing whatever about Tolby's death. The tallest man in the mob slapped him around until he began remembering things. But McMains protested vigorously against mishandling the prisoner, which he had warned about earlier. He was stopped with a terse retort.

"We'll make the guilty cuss spill in our own way!"

In turn scared because he had lost complete control of the situation, McMains hastily withdrew. The mob took Vega over to a telegraph pole on the railroad right-of-way. A rope was placed around his neck and a few brutal kicks administered. Warned that he had better come clean, he was hauled some feet clear of the ground. When he was dropped, choking, he began to confess his misdeeds in a hurry.

Vega is alleged to have claimed a minor part in the plot, swearing that the Santa Fe Ring ordered Tolby slain to remove a thorny nuisance. He involved Governor Axtell, and named a number of men on the immediate Cimarron scene. He said that Lawyer M.W. Mills was the headman, and that Dr. R.H. Longwill made the pay-off after the sorry deed was accomplished. Defending himself, he claimed that Manual Cardenas did the actual shooting.

When day dawned Cimarron citizens discovered Vega's lifeless body swinging from the telegraph pole. His death was the first of the series of summary executions growing out of Tolby's callous murder.

There was no general outcry over Vega's lynching. He had already been pin-

(Continued on page 64)

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SAGA OF PIO PICO

Murder and tragedy followed this colorful figure everywhere until he finally concluded, "Fate frowned on me."

HE WAS ONLY twenty-nine years old, but Pio Pico was going places —politically, that is! He had already accumulated a sizable fortune, thanks to being born with the proverbial "silver spoon in his mouth."

Pio, unlike most pioneers of the Old West who carved out fortunes for themselves by sheer dirt-under-the-fingernails work, built his land and cattle empire from Spanish land grants in California. In 1830 his first land grant—a "small " gift of 8,900 acres—was handed to him. From this acreage he began building his vast land empire. And his father had already showered thousands of dollars worth of gold on him!

But Pio wanted more. He wanted political influence. In his early youth he loved adventure. He was first and foremost a revolutionist. Political advancement in early California came by way of revolution, and counter-revolutions, and Pio wanted political advancement in the worst way!

His flair for politics finally got him the position of an advisor to the Governor of California at the age of twenty-seven, and it was this governor who gave him the 8,900 acres of land when Pio was twenty-nine.

A year later Pio was leading a rebellion against Governor Victoria, his benefactor's successor; and in barely ten more months he was appointed provisional governor. He had just reached his thirty-first birthday!

But a "curse" of sad and often hazardous events seemed to follow Pio Pico throughout most of his adventurous life. In fact, this curse seemed to follow him to the very last months of his life—and even beyond his death! In his last years he was often heard to say, "In spite of all I had, Fate seemed to forever frown on me!"

His first "bad luck" hit him just three months after he was appointed governor. He was relieved of his office by a sudden proclamation from Mexico, a result of some political maneuvering there.

Pio was furious, and being a stubborn man, he wouldn't be stopped. He married young, gracious—and wealthy —Maria Alvarado, the niece of two even wealthier Californians. Pio realized that great riches could be an instrument to political power.

"I promise that you and I," he told Maria on their wedding day, "will be the richest Californians. People will become puppets in our hands!" Their wild wedding celebration lasted eight days and nights!

He took his bride to San Gabriel Mission, his birthplace, and there they began making their plans. While governor for that brief period of only three months, young Pio had acquired a 133,500-acre ranch. And now, the secularization of the California missions offered him even more opportunities to gain the wealth and power he sought. He maneuvered more thousands of acres into his domain, land now composing most of famous San Fernando Valley in Southern California.

Being an old hand at fomenting revolutions, it wasn't long before Pio attempted to oust Governor Alvarado in 1838. Alvarado was his wife's uncle, but she didn't seem to mind as long as there was power and wealth to be had. However, in spite of well-paid soldiers and seemingly expert planning, the revolution didn't quite come off. Instead, Pio was captured and returned a prisoner to Santa Barbara. But in less than three weeks he was reluctantly released, and in a few months was leading another revolt! A new governor, Micheltorena, sent out proclamations to all his henchmen and military forces: *We must rid California of this rebel Pico! Our victory will finally bring peace and order to California.*

Pio's curse at last failed to thwart him. His soldiers overcame Micheltorena's men and Pio became governor once more! The curse, though, hadn't completely faded away. It lurked in the darkness of future events, to break out against Pico time and again, bringing bitter tears and despair.

In fact, just the following year Pio's rule was interrupted by invading Americans. American settlers from the East were squatting on his land, claiming some of the best soil areas as their own. Unable to fight Fremont's American forces without adequate finances from Mexico, Pico gave up, exhausted.

He and Maria fled to Mexico. At the brief war's end they returned, hoping that the new Yankee government would respect the rights and properties of all Californians. He now owned over 230,000 acres, but had lost all his political influence and ambitions. In the three years following his return to California, Pio spent much of his wealth—and gave freely of his advice—to establish banking, education, and town development; he began building magnificent Pico House, an impressive 80-room three-story hotel in Los Angeles, the first three story structure to rise in Southern California. He supervised its construction from choosing the site to the selection of its window hinges and curtain sashes! Not one item or detail missed his discerning eye.

IN 1850 he bought famous Rancho Paso de Bartola, his "El Ranchito," the little ranch. On this ranch he built a beautiful adobe *casa* and surrounded it with well-kept orchards and flower gardens. On its pastures roamed thousands of cattle and sheep.

But here at his beloved El Ranchito the greatest of Pio's tragedies fell upon him!

His wife, still charming and beautiful as she entered middle age, died suddenly. Pio, in his almost unbearable grief, had her dressed in her finest Spanish lace, and buried her with all her exquisite jewelry—with boxes filled with diamonds placed at her feet. Just a few months later vandals broke into her grave and stole all the precious stones from her coffin.

Soon after, his son Ranulfo, an offspring of a young Indian woman Pio had met before he married Maria, was murdered in cold blood. Ranulfo had been brought up by Maria, who loved him and cared for him as her very own. He was a handsome, tall, adventurous youth who loved more than anything else to go hunting with his father on the wide range, and he was always the popular center of attraction at his father's splendid fiestas.

Apparently Ranulfo had an eye for every cute senorita who happened by. In fact, it seems that many pretty young ladies on the rancho openly sought the favors of good-looking Ranulfo.

One night in the saloon across the road from his father's mansion, young Ranulfo was having drinks with his friends. Suddenly a young man, mad with rage because Ranulfo apparently "stood up" his sister for another less attractive senorita, rushed into the saloon, called out "Ranulfo!" Ranulfo didn't hear his name above the noise and ribald laughter in the small saloon. He kept on drinking. A shot rang out. Ranulfo crumpled to the floor. The youth had shot Ranulfo in the back, directly between his shoulders. Pio was quickly summoned to the saloon. He

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by Joseph Kennelley

had arrived just in time to say a final *adios.*

Stories that have persisted to this day claim that the young man rode seven miles from the hideout of outlaw Tiburcio Vasquez, who had just arrived from Monterey with a band of desperados. The young man was supposedly given a gun by one of Vasquez's bandits.

But there was discovered, this year, a 95-year-old woman named Hortensia Aguirre who had been one of Pio's servants at the age of fourteen. She often brought meals to his room, and in Pio's later life she built up an intimate acquaintance with members of his household. Her version of the killing differs.

"I heard a different story, straight from the lips of Mr. Pico's adopted children," Mrs. Aguirre says today. "I was told that the young man walked up to Ranulfo and called for him to turn around. When Ranulfo refused, the man plunged a knife into Ranulfo's back, and then fled. I believe the reason for the killing was never known."

Tragedy still haunted Pio at El Ranchito, barely six months following young Ranulfo's murder. Ranulfo's dearest friend and companion, a young

Rebel, governor, adventurer, rancher, politician—a grand old man, Pio Pico.

man named Romo who had been "adopted" by Pio, was lynched.

Pio was very fond of young Romo, who had come to work on El Ranchito. He lived about 200 yards from the mansion and was engaged to marry Carmencita, one of Maria's servants. Pio had been planning a big wedding for Romo.

Stories handed down by descendants of The Monte Boys—a tough band of vigilantes in El Monte just 15 miles away—claim that Romo broke into Turner's Store near El Monte one night, killing Mrs. Turner in cold blood as she strived to pull him from her husband when they were fighting on the floor of the store. Turner had caught Romo and Romo had turned on him with a knife. Mrs. Turner had dashed to her husband's aid with a five-shooter. Romo, as the story goes, sprang up, pulled the gun from Mrs. Turner's hands, shot her dead, and fled in panic.

Two days later, The Monte Boys—forming a posse of sixteen enraged men —captured Romo in the hills near Pio's rancho. They took him to the edge of the San Gabriel River and slit his throat, then attempted to hang him!

All this seemed just too much for Pio to bear! He moved to Los Angeles and lived with friends there. But eventually he longed for the dear rooms and

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well-kept gardens of his Ranchito, and became homesick for the kind words and gentle smiles of his people around the mansion. He returned to El Ranchito.

In 1867 the curse occurred again. The worst floods in California's history hit El Ranchito. The San Gabriel River spilled over its banks and flood waters rushed over thousands of acres. The beautiful *casa* was all but ruined. Foundations of entire rooms were pushed aside by the raging torrents. Maria's small tombstone in the private cemetery nearby was washed into the river never to be found again.

But such tragedies couldn't conquer Pio Pico's spirit. He quickly rebuilt his *casa* and erected a small private chapel about 200 feet away.

Pio's reputation for honesty and integrity now made him famous among the residents of Southern California. Although he had sold off huge land holdings to his friends, and even to himself, when Mexico directed that he break up the mission holdings in 1846, he never cheated a man, never sought revenge against any person—except those who broke into beloved Maria's grave!

However, it was his good reputation and trusting nature that, indirectly, brought his financial downfall. When he hired sioldiers to fight in the rebellions in the 1840's, he paid them vast sums of money, particularly to his officers. After each revolution he was left owing much to many men. Little by little he paid them off. By the time he planned to divide his rancho into townships and create a vast city near his *casa*, which he intended to call "Picoville," he was in debt, although he had acquired great wealth in his youthful heyday. He had given away huge sums of money to friends and relatives. In fact, the story is told of the many times he would place big platters heaped with gold pieces around the patio of his *casa* during fiestas and holy day celebrations, inviting his guests to help themselves to handfuls of the coins; and often a visitor would even depart El Ranchito with four or five horses as gifts from Pio!

So it was in 1883, when Pico was 82 years old, that he borrowed $65,000 ready cash from one Bernard Cohn. He had transacted other business deals with Cohn and trusted him. Pio didn't understand and was unable to speak English. He was, particularly at his advanced age, utterly bewildered by the complicated ways of American business affairs. He had always taken a man at his word, and complicated contracts and documents only confused him. And besides, he was now very tired.

It was no wonder, then, that through an unscrupulous interpreter, a Mexican-Irishman, Cohn succeeded in passing off a phony document on old Pio who trusted him unquestioningly.

The document supposedly supported a mortgage and not a conveyance of title. Two months later Pio raised the needed $65,000 and went to pay off Cohn. To his amazement, he heard Cohn say, "Sorry, Senor Pico, but your property is now mine. I own El Ranchito outright—and my purchase price was $65,000 if you will recall."

Stunned and bewildered, Pio sent for the interpreter whose name was Pancho Johnson, and was shocked to hear Johnson claim that it was an outright sale and not a mortgage that had been transacted with Cohn!

Pancho Johnson even testified on the witness stand that such was the case. In the courtroom, Pio stood up and shouted, "I have been cheated! My friends, listen to me! I tell you, I have been cheated!" He sued Cohn, and the case of *Pico vs Cohn* moved through the California courts for seven years. Finally, the court ruled in Cohn's favor, simply to bring the issue to an

Pico House—a showplace in the days when the rugged adventurer was riding high.

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end. Today this case is regarded by many law authorities to have been an outright fraud on the old ex-governor.

Soon after, old Pio—with defeat in his eyes—drove away from El Ranchito for the last time. He was even forced for a few days to live in a two-room shack that housed Carmencita, a servant girl, and her father. A few days later he was living with a friend in Los Angeles. The curse that befell him so often had now, at last, driven Pio Pico to poverty and ruin. The stalwart soldier of the 1820's—descended from an illustrious family of Old Spain—was now old, weak, and penniless and in the care of friends, who gave him shelter barely 500 yards from the splendrous Pico House Hotel he had built when he was at the height of his fame and fortune.

One year before his death he went to live with an adopted daughter who had moved from Monterey to Los Ángeles. When he died in his sleep at the age of 93, his daughter had him buried in an ornate iron casket brought from Spain. His torment was over, everyone thought. But twenty-eight years after his burial he was disturbed once again! Even in death the curse seemed to follow him.

City officials needed the space where the old cemetery was located. They condemned the property and directed that families move members out of the cemetery for burial elsewhere. At last Pio Pico was placed—alongside eight other old pioneers—in a small mausoleum in a private cemetery thirty-five miles from Los Angeles on the William Workman Ranch, on land he had granted to Bill Workman many years before. A few years later his beloved Maria was moved and placed near him in the mausoleum.

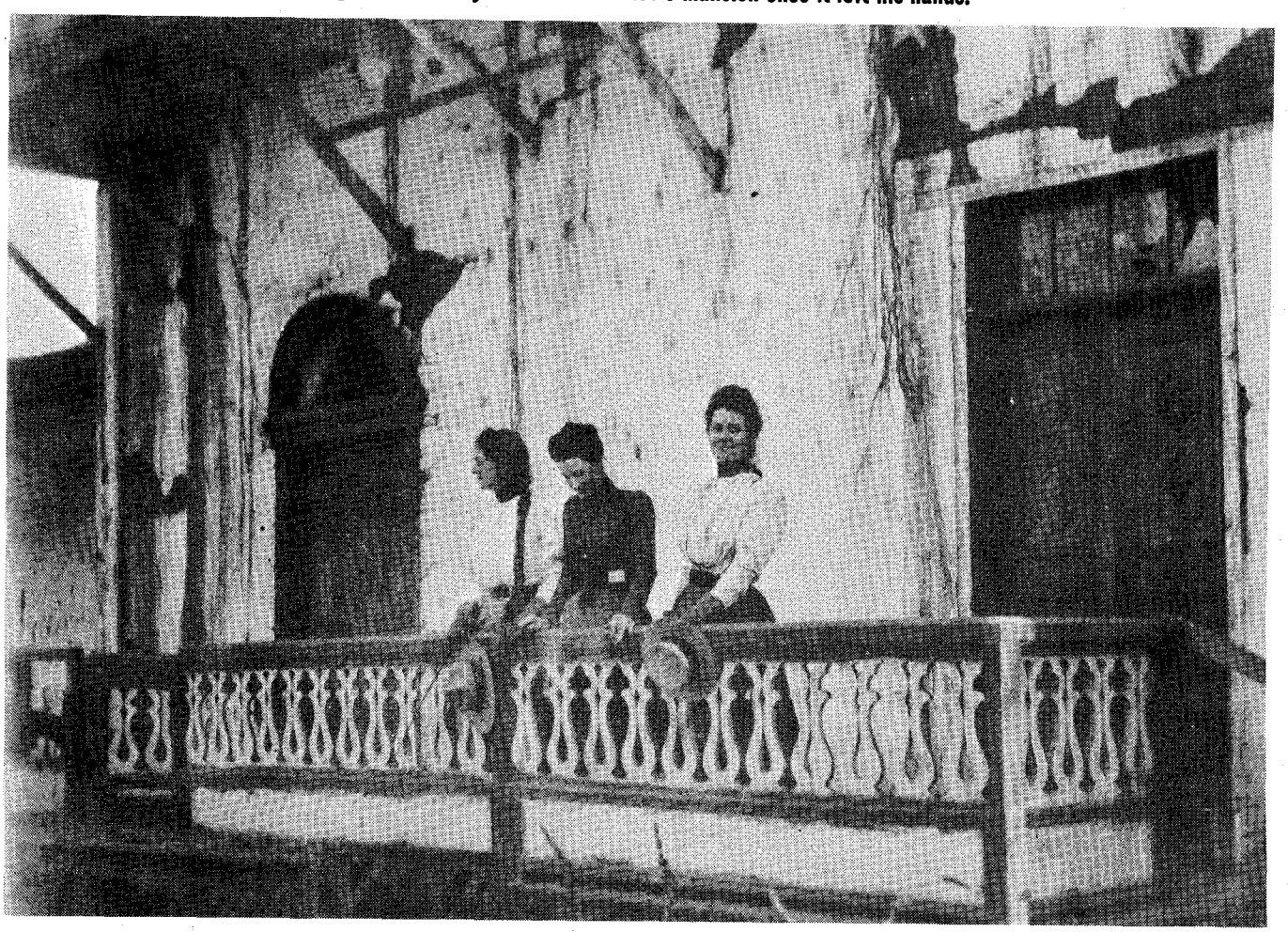
Today an aged caretaker watches over the small cemetery. He says that occasionally a man or woman, sometimes two people at a time, visit the mausoleum in silence, then drive swiftly away. He suspects that they may be descendants of Pio's "family" of El Ranchito.

The only monuments to Pio left today are the scanty remains of his *casa* on El Ranchito, and the once beautiful Pico House Hotel, now gutted and undergoing repairs. Across the street from his *casa* a garage occupies the spot where Ranulfo was killed, and a parking lot spreads over the land where once Pio's beautiful orchard grew. The cold mausoleum which holds him is now surrounded by huge, unfriendly factories.

A small corner of the mansion Pio Pico built on his vast El Ranchito property.

And nearby lies a modern highway, carrying today's Californians, many of whom do not know that they are passing near the final resting place of Don Pio Pico—rebel, governor, adventurer, rancher, and politician—and a grand old man. ●

Neglect and decay took over Pio Pico's mansion once it left his hands.



Author's Photos

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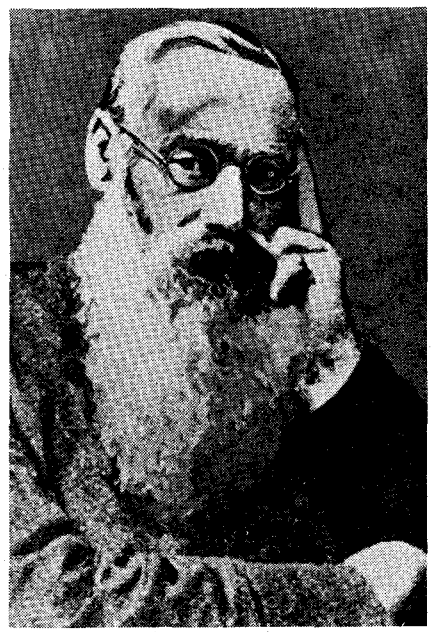
Innocent-eyed prophet.



Beard was part of the act.

Loyal wife was a true believer.

by Peter Tompkins

Oregon's

FRANZ CREFFIELD could have fooled almost anybody. He was a dreamy-eyed young man who looked exactly like what he pretended to be—a person with a religious turn of mind who had little or no interest in money or the material things this world has to offer. He was accepted on those face values by the Salvation Army in Corvallis, Oregon. Franz Creffield was believed to be interested in helping his fellow man. Unfortunately, that did not happen to be true.

Smooth-shaven, with a long face, a remarkably high forehead and soulful, hypnotic eyes, he was the type of person who stood out in a crowd, the type that people, particularly women, would turn around to give a second look.

A student of physiognomy would have detected something decided sensual about his thick full-blooded and almost purple lips. His tall, well-developed figure, erect carriage, and quiet assurance bespoke a masculine virility that fitted in with those sensual lips to tell a story of slumbering passions which carried its own warning to those of the opposite sex discerning enough to sense danger.

But to the officials of the Salvation Army, that organization of self-sacrificing men and women devoted to easing pain and suffering, he seemed a welcome recruit.

They gladly accepted him as a worker and assigned him to various duties, including taking part in the street meetings.

In this he was extraordinarily successful. His persuasiveness, good looks and magnetic personality were instrumental in causing many who had led evil lives to change their ways. Within a remarkably short time he was looked upon by the Salvation Army officials as one of their best workers.

Suddenly he dropped out of sight. When, at the end of several days, he had not returned, the Army officials contacted the police and asked them to institute a search for the missing Creffield.

Their efforts were unsuccessful. Creffield had vanished without leaving a trace. The police decided that he had either met with foul play or left for parts unknown. Since there was nothing to indicate that he had come to any harm, they finally dropped the case into the missing persons file, to await some possible future break which would solve the mystery.

The police were wrong in both conjectures. Creffield had not met with foul play nor had he left for unknown regions. He had simply reached the conclusion that there were ways of making salvation pay far better than working for a small salary with the Salvation Army. And he had determined to make it pay in two ways: financially, and in a life of unrestrained sex debauchery.

It was six months or more before Corvallis saw him again. But even when it did, Corvallis didn't at first recognize him. For now his previously-closely cropped and parted black hair was a bushy mass combed straight back from his forehead. A long beard and heavy moustache completed his disguise. He was no longer Franz Edmund Creffield, humble Salvation Army worker.

He now was Joshua the Prophet of the Lord!

IT IS no great secret of human nature that almost anyone with sufficient assurance who cloaks himself in a religious guise, no matter how ridiculous and bizarre his claims to divinity, can obtain followers who accept as gospel not open to question any assertion concerning himself which he may make. The more extravagant his claims, the greater the number of "believers" who seem to follow him—all of which the handsome, soulful looking Creffield well knew.

So the former Salvation Army recruit began practically shouting from the house tops that not only was he Joshua the Prophet, but that he was in close communication with God, was destined to live forever, and that he had been sent to earth to form a Church of the Bride of Christ.

The objective of this extraordinary assignment, he asserted, was to look for such a bride. Naturally, there would be many who would aspire to this role. And, just as naturally, it would be necessary for him, as the Lord's intermediary, to see that the would-be candidate had the proper qualifications for such an exalted office.

It would be impossible to conceive of

(Continued on page 50)

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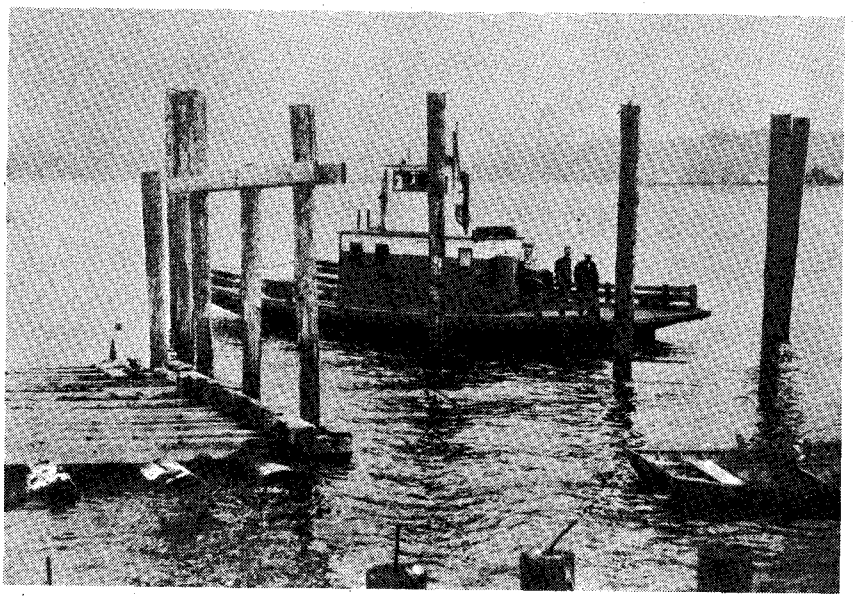

A shot was fired at the leader of the cult here.

Bearded Prophet

He would mount the pulpit, gaze over his congregation of women of all ages, and then shout, "Vile clothes, begone!"

It was thought to be quite an honor when girl (l.) was chosen to be the "bride" of the new spiritual prophet.

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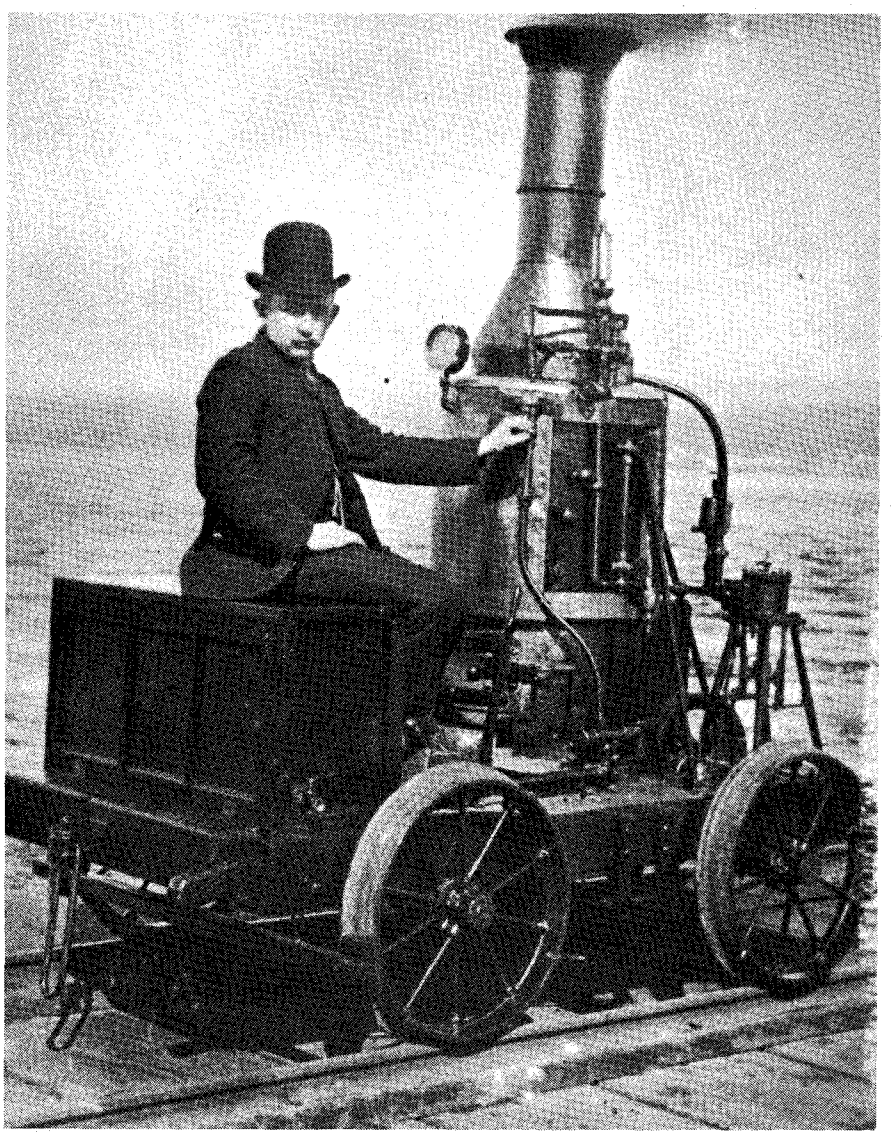
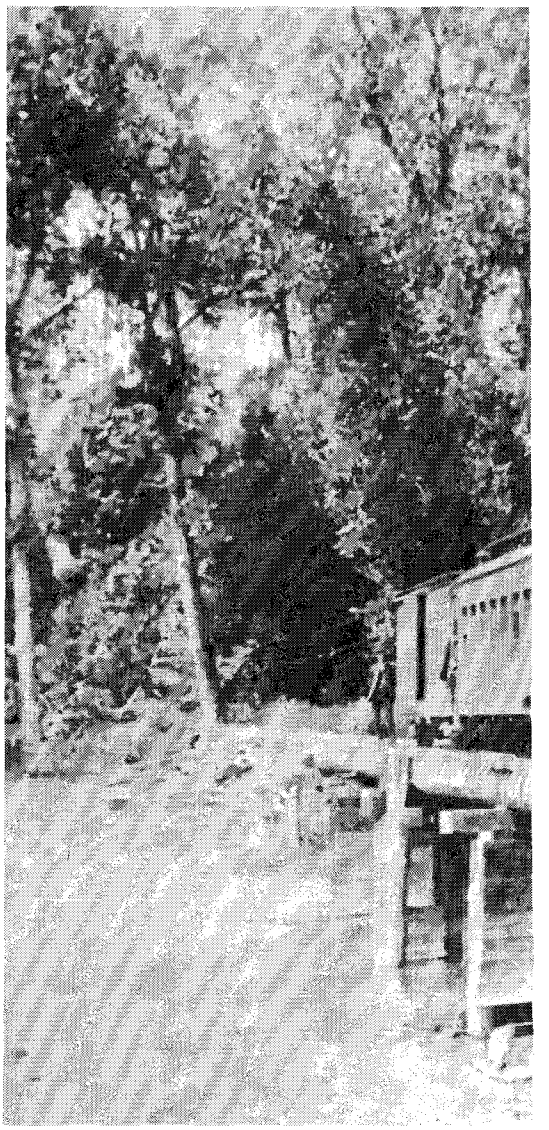
THE TRAGIC HISTORY OF THE WEST'S STRANGEST RAILROAD





The Arcata & Mad River Railroad was nicknamed the "Annie and Mary" and still runs today. Above: The A.&M. R.R.R. as it looked in 1888. Left: The railroad's superintendent, V. Zaruba, is seated on his "inspection car."

It may not have been much of a railroad, but it was the only one the pioneers of northern California had. Then came that horrible day the bridge collapsed!

By Harriet DeLong

THE UNION PLANK WALK, Rail Track, and Wharf Company had been running the railroad for only a few months when it had its first accident. One day in early October of 1855 the "locomotive" jumped the track and broke her right hind leg.

"The mare was one of the most valuable animals in the country, but is now ruined," said the *Humboldt Times* when it reported the accident.

No damage was done to the flat car upon which benches were arranged for

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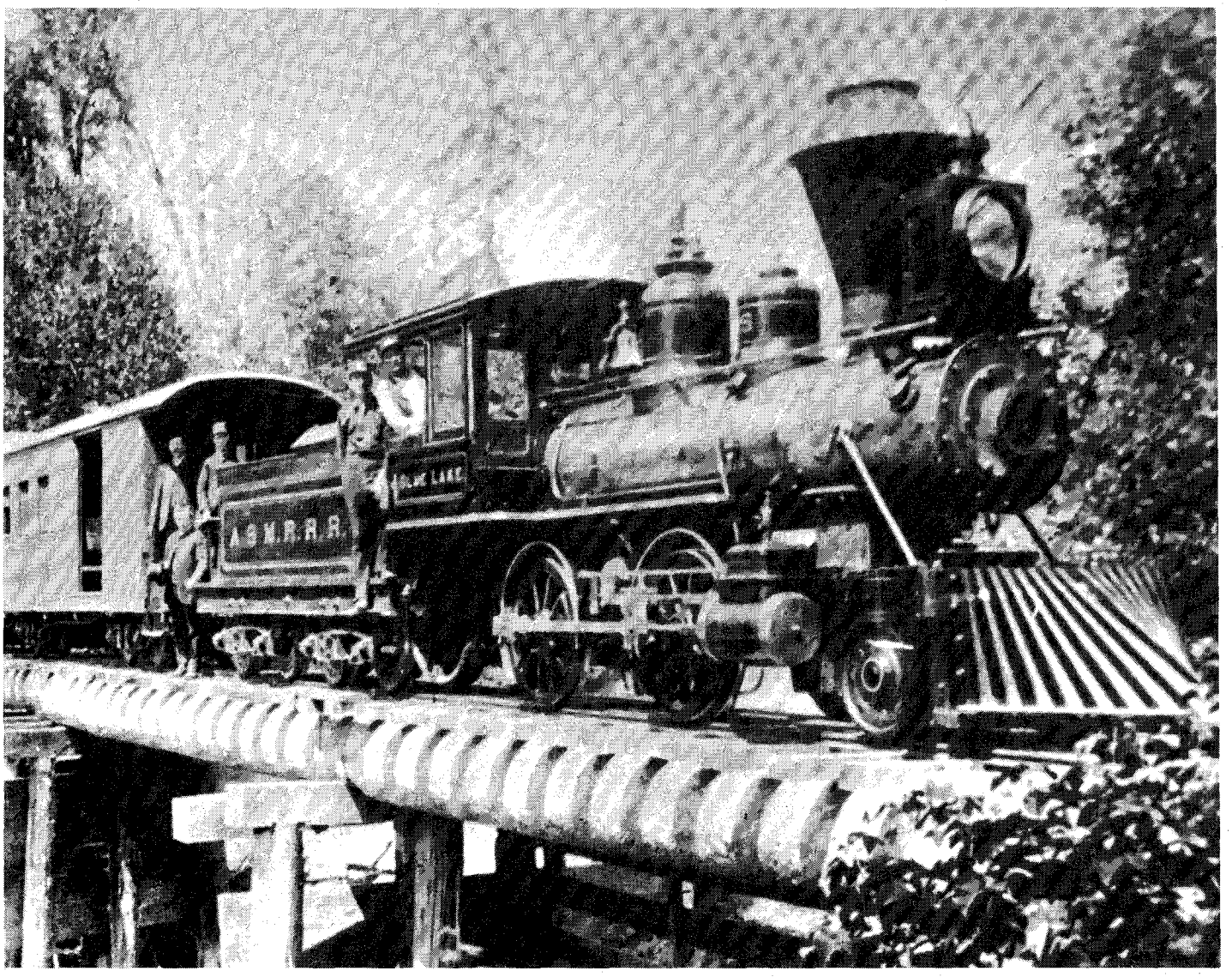

the convenience of the customers. Only the dignity of the passengers was injured. The men all panicked and jumped off into the mud, while the two ladies aboard rode out the mishap firmly planted in their seats.

This isolated corner of northern California had been settled only since 1850. Four years later the towns of Eureka and Union (now Arcata) had sprung up on Humboldt Bay, and the nearby redwood forests rang with the sound of axes and of falling timber.

Although there were no wagon roads, already there was at least 20 miles of wooden rail track which ran into the forests to bring logs to the mills scattered around the bay. These trains were all horse-drawn. The tracks were made of two parallel saplings. The cars were built from heavy wagon beds fitted with large wheels carved to fit the track!

Out in the deep water of the bay stood the ships that had unloaded supplies for the settlers, and goods waited to be packed over the mountains to the east for the miners along the Trinity River.

Far to the south, San Francisco was growing from the sleepy village of '48 to the teeming city of the '60's—the 1860's, that is. The people there needed the lumber which the giant trees that ringed the bay supplied. One tree would provide enough lumber to build a two-story house!

Between the ships in the bay and the town of Union lay acres of mud flats. It had been humiliating when it was reported in San Francisco that the only way one could reach land in Humboldt Bay was by way of small boats, and then only at high tide.

If the town of Union could not supply more efficient means of transportation between the ships and the land, business would surely develop farther south in the bay, where there was deep water. Union would promptly become just another California ghost town.

These enterprising businessmen soon had the problem solved. They would build a monstrous wharf out to the deep water, lay track upon it, and meet the ships with cars. Stock, in the amount of $15,000, was sold quickly, and the Union Plank Walk, Rail Track, and Wharf Company was in business.

It took only a few months to build the two-mile long wharf over the mud flats. Nothing was wasted in those days, neither time nor machinery, and the builders of the wharf were an ingenious group. They placed fish bait on the tip of the pile driver and lowered the whole contraption into the water. They took understandable pride in a very efficient "fishing machine."

As soon as passenger and freight cars began to run regularly on the wooden tracks laid on the wharf's planking, business boomed. No one minded that the gauge of the railroad was an odd 45-1/4". (It is said that was the gauge of the first available set of wheels.) No one minded that the locomotive was a horse named "Spanking Fury." The citizens of Union were pleased to know that they had a modern transportation system. The best in the West.

Those early builders were so busy wresting a living from the towering trees that surrounded them that they probably never stopped to think about the future of their makeshift railroad. They would have been surprised to learn that 117 years later their little railroad, now called the "Annie and Mary," is still serving customers in the same valley where the tracks were first laid.

How the Union Plank Walk, Rail Track, and Wharf Company got its affectionate nickname is still a question for

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speculation. Some say that two young lady bookkeepers about the turn of the century bore those names. Others say that the moniker came in honor of Annie and Mary Vintera, nieces of one-time owners of the railway. Others, less romantic, say that it is just easier to say "Annie and Mary" than Arcata and Mad River Railroad, its present name.

It is not just people who have enjoyed the regular runs of the "Annie and Mary." The story is told of Boomer, the dog of undetermined parentage. Boomer was such a fan of the railroad that he took to riding in the cab with the engineer. (This was after they modernized and were using steam engines.) One day Boomer was so busy fooling around the station with his canine friends that he didn't notice the train pulling out. When he looked up and saw it moving out of sight, he high-tailed it down the track as if his life depended on it. He followed that train all the way to the next station where he caught up with it and was put aboard by the friendly engineer. The hangers-on at the station wondered whether the dog was fast or the train just slow!

Susie Fountain and Links Carranco, two knowledgeable history buffs, figure that the Arcata and Mad River Railroad and its ancestors, the Union Plank Walk, Rail Track, and Wharf Company and the Arcata Transportation Company, have the longest continuous history of any railroad in California.

They say that most of the early railroads were temporary affairs that soon ceased to function or were absorbed by bigger lines. It is the Arcata and Mad River Railroad and the Sacramento Valley Railroad that come close to a tie in being "first." It seems that the Sacramento line filed Articles of Incorporation first but delayed construction for nearly a year. The Union Plank Walk, Rail Track, and Wharf Company filed a few months later but started work on the line immediately and by the end of January, 1855, it was in business. The Sacramento Valley Railroad, with a regulation locomotive, began operations in September, 1855.

For twenty years the owners of the railroad were content with their work. The horses continued to pull the railroad cars over the narrow wooden track out over the same wharf. Passengers continued to ride on the open cars, evidently without much complaint. And at the end of their ride they picked their way around the piles of lumber and boxes of goods waiting to be loaded.

Once in a while there was an accident. The horses often created problems. One time when the train was on its way down the wharf to meet the ship *Goliah* the reins of the horse became tangled in the wheel of the passenger car. The big gray was thrown off the track and suspended over the mudflats below. Someone quickly cut the reins, let the animal drop, and then led him out of the mire to continued his journey. No damage was done to either the horse or passengers.

Finally this placid life came to an end. Earlier the town of Union had been renamed Arcata. Then, in 1875, the Union Plank Walk, Rail Track, and Wharf Company changed its name to the Arcata Transportation Company. More stock in the company was sold and the company began plans to extend the rail line through the town of Arcata and up the valley of the Mad River. Boats were purchased to provide ferry transportation between Arcata and Eureka to the south. And finally, the horses began to be replaced by steam engines.

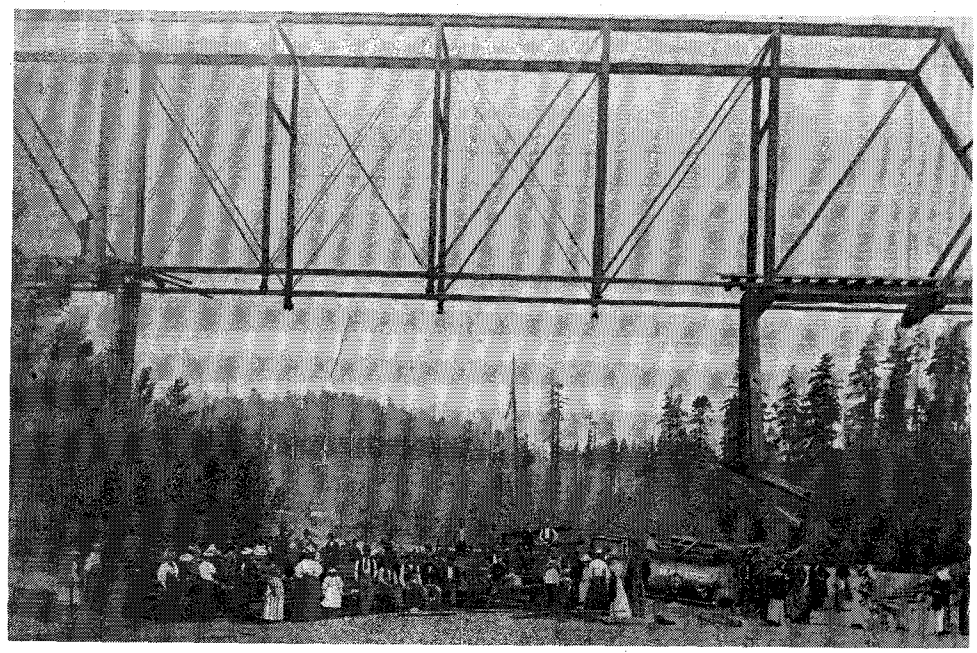
That first engine was a homemade affair composed of an upright boiler set on four wheels. But it did the job, pulling six loaded flat cars efficiently.

Regular customers considered it a major improvement when a covering of canvas was erected at one end of the flat car which still served the passengers. At which end the canvas was erected depended on which way the wind was blowing at the time. This caused one gentleman to remark, "In going to Arcata from Eureka I took my first ride on a car that hoists sail and then runs against the wind."

As the Arcata Transportation Company expanded, other railroads in the Humboldt Bay region were also growing. These pioneer lumbermen were not ones to let a dollar slip from their fingers! While this railroad was inching up the Mad River Valley, following the forests as they receded before the logger's axe, John Vance, William Carson, and others were extending their lines in the same general area. Competition was keen, and at times the railroads crossed each other's tracks or ran parallel with each other.

William Carson later built the famous mansion in Eureka which is often used as a classic example of Victorian gingerbread. John Vance was another of the old breed of lumber barons. One time he was standing in the pouring rain watching a freshet carry away his precious bridge that crossed the Mad River. He raised his fist skyward, shook it, and shouted, "The Lord may take it away, but John Vance will build it again."

The numerous rail lines did cause problems. One time a man was walking along one railroad right of way when he saw a train coming along the track. He quickly jumped to what he thought was the safety of the track which ran alongside. There was a train on that track, too, which knocked him off and into the brush beside the road. Fortunately, he was not badly injured.



Sightseers traveled for miles to swarm all over the shattered train the day after the Mad River disaster. There were 33 people on the train when it fell through the wooden trestle over the Mad River.

Another time there was a large damage suit instituted by the Arcata and Mad River Railroad against the Klamath River Railroad Company. It seems that the tracks of the two companies crossed and there was an arrangement by which the Klamath River Company had agreed to come to a full stop whenever it was within 150 feet of its competitor's crossing. One day its train failed to stop and plowed right into the side of the "Annie and Mary." The Company claimed damages of $10,000.

Railroad trains were not the only mode of transportation around Humboldt Bay. To meet competition the Arcata and Mad River Railroad got into the ferry business, with service between Eureka and Arcata.

The steamer *Alta* was popular with the loggers who came swarming into Eureka from the camps where they had worked all week. These fellows caused such a commotion with their carousing during a

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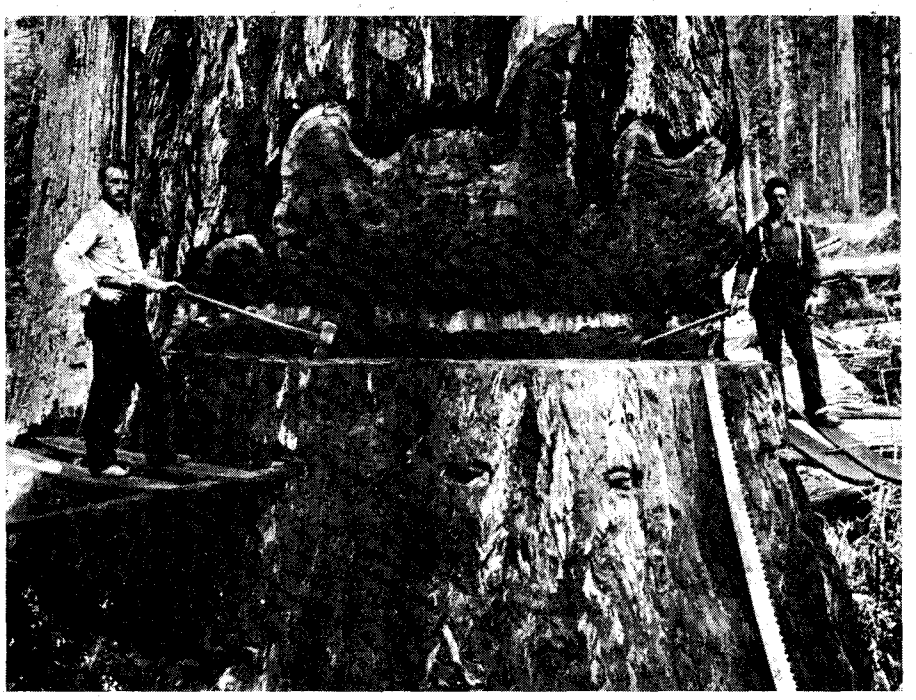
weekend in town that the sheriff was forced to deputize the captain of the ferry so he could make a few arrests. It had got to the point where decent women, and children, refused to ride either the ferry or the train on Sunday afternoons.

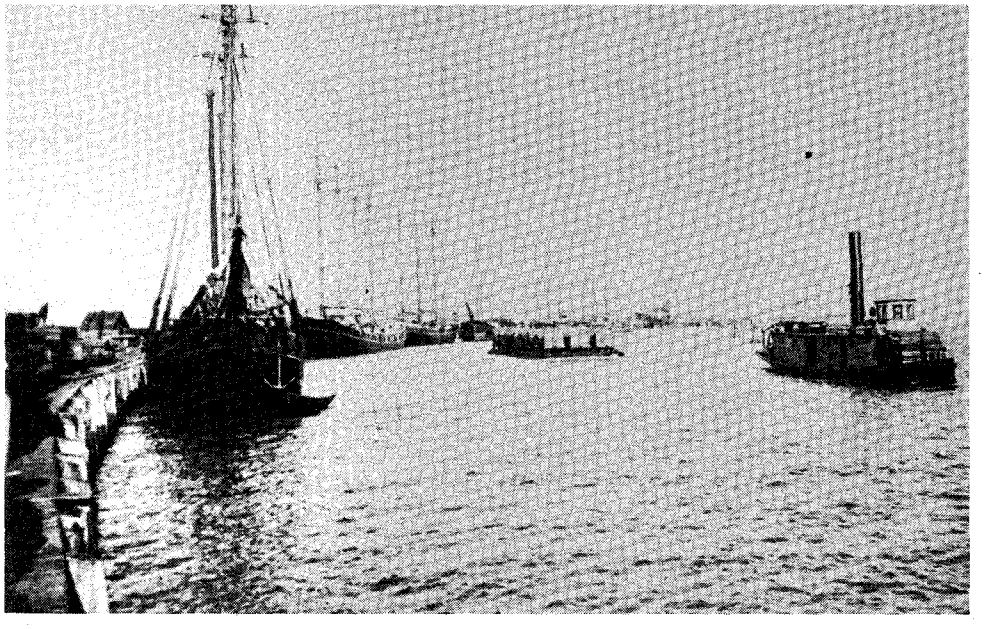
But the captain was so busy navigating the waters of the bay that he did not have time to go chasing after drunks. Neither did the conductor of the train. Finally, the constable of Arcata was deputized to handle that chore, and an armed peace reigned on both ferry and train.

Bicycles were popular around the turn of the century. Some of the folks fitted up their bicycles to use on the rails. The "Annie and Mary" was generous to a fault with the use of its property. Several years passed before this dangerous practice was stopped by the management, and the doctors and others who had found the track such a convenience were forced once more to hitch up old Nellie or try one of the newfangled horseless carriages.

When the Korbel brothers, Frank, Antone, and Joseph, were looking around for good timber to turn into barrels for their wine-making business in Sonoma



Northern California's giant redwoods were urgently needed to build the fast-growing city of San Francisco. It usually took at least a week for two men with axes to fell one of these giant trees.



Turn of the century sailing ships line up along the two-mile long wharf, considered to be the longest one in the United States. It took only two months for the enterprising businessmen to build it.

County, they found that the little town of North Fork, not far from Arcata, would be ideal. There they built a large mill, purchased the Arcata and Mad River Railroad, and began improvements on the line. When the Korbels bought the railroad in 1883 it was said that the wharf of the Arcata and Mad River Railroad was the longest in the United States.

North Fork was later named Korbel, and ever since, the railroad has been connected in the minds of its local fans with the Korbel mill. The town of Korbel was as far as the line ever extended, although there were some logging roads built farther up into the mountains. At its longest the Arcata and Mad River Railroad extended 14-1/2 miles from the wharf to Korbel.

It was the fate of the Arcata and Mad River Railroad and the Korbel brothers, to be participants in one of the most terrible disasters ever to befall northern California.

Ike Cullberg, reminiscing about it, recalled that the accident occurred just after California's Admission Day. September 13, 1896 is still remembered vividly by oldtimers around the Bay.

In the old days Admission Day was celebrated with picnics and dances, parades and speeches. It was a real holiday. That year people in the outlying communities had come into town early in the week to take part in the festivities. There was a dance at Richert's Hall in Arcata, and one of the pretty girls there who danced with Ike was 22-year-old Annie Holland. She had come in from Riverside to attend the dance and visit with friends.

By Sunday evening the celebrants were heading toward home. There were 33 passengers on the train which pulled out of the Arcata station at 4:30 p.m., bound for Essex, Riverside, Blue Lake, and Korbel. The engine was pulling a box car and two coaches.

A number of families with small children and babies were aboard; many of them were prominent members of the community. In fact, among the passengers were Annie and Mary Vintera, nieces of the owners of the rail line.

Lou Everding was one of the passengers. He was standing in the rear car as the train approached the crossing at the Mad River about 15 minutes after they left Arcata. He noticed that as the train reached the curve, just before the bridge, it slowed down and then began a cautious crossing. He looked out of the window, noticed the first upright of the bridge, and at the same time detected a peculiar motion to the rail car. He thought perhaps the pin connecting the cars had broken. Almost immediately the swaying and jerking became worse. The plunge through space to the river bar below began then.

The next thing Lou remembered was looking up at the blue sky and seeing the timbers of the bridge suspended over his head. The train had fallen through the bridge! Lou looked around. In his lap lay

(Continued on page 54)

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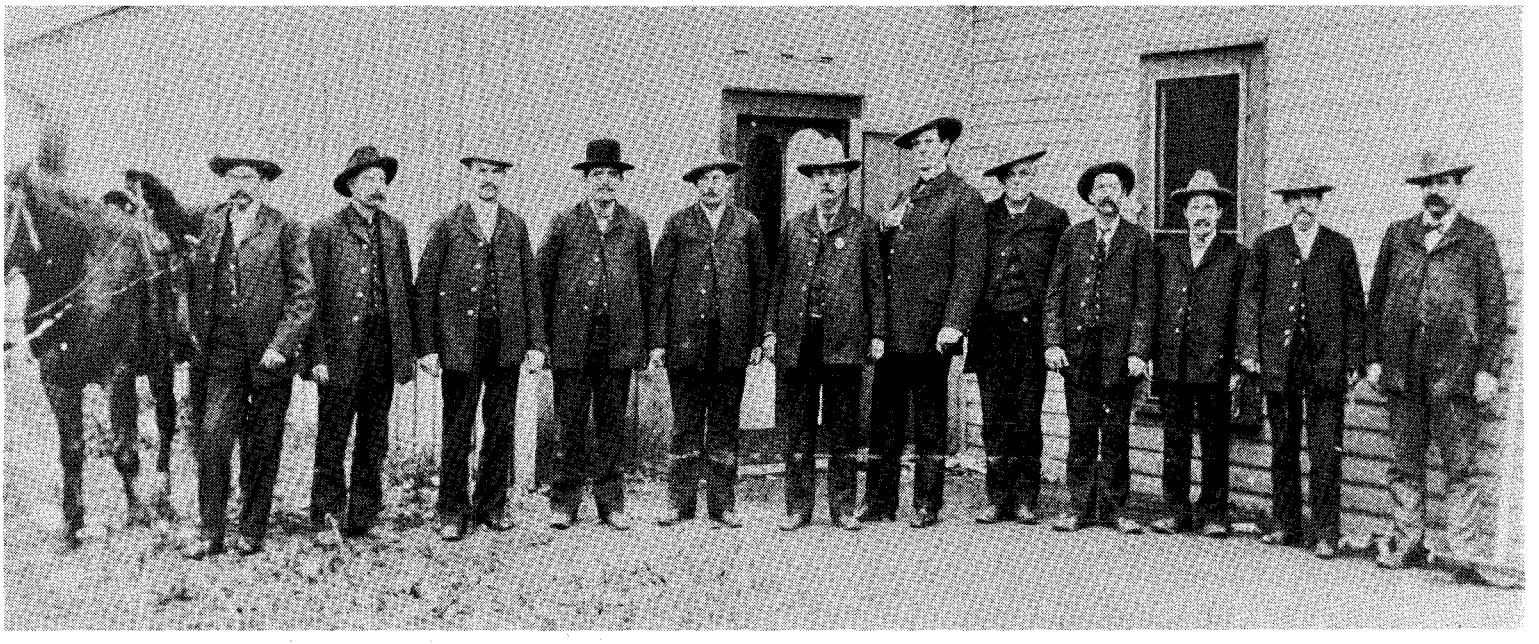
TERROR OF THE TERRITORIAL



Lawton's first police force: (l. to r.) Rufus La Fors, P. Foster, A. S. Woody, Sam Elrod, Fred Larrance, "Heck" Thomas, Will Hawkins, H. R. Blanding (police judge), John Heatherington, D. R. Mortons, S. B. Lancaster and Charles Hammonds.

by M. P. Lehman

HE WAS A GENTLEMAN, a dyed-in-the-wool Southern gentleman, an officer who would rather take a drunk home than arrest him, would rather arrest an outlaw than kill him. Yet, when the chips were down and his life was on the line he was cold-blooded and nerveless.

Such a man was Heck Thomas, one of the most courageous of the United States Deputy Marshals to work out of Hanging Judge Parker's Court at Fort Smith. He contributed more than his share of outlaws to the court's jurisdiction, or to the undertaker. Once he and Bill Tilghman took 41 prisoners by train to Fort Smith for trial. Nine of these were sentenced to be hanged by Judge Parker. Four of them had been captured by Thomas.

Born January 6th, 1850 in Athens, Georgia, his parents named him Henry Andrews Thomas, but his schoolmates called him Heck. It was as Heck Thomas that he wrote his name in indelible ink and lead in the history of a troublesome and turbulent era.

He could ride like a Comanche, follow a trail like an Apache, draw fast, shoot straight and fight like hell. This was a far cry from the shy lad who had entered Emory College in Atlanta to study for the ministry.

Apparently the war years had instilled a liking for adventure in the youth, for while still a boy he was thrown in the midst of adventure. He was 12 years old when he became a courier for his uncle, Brigadier General Edward Lloyd Thomas. General Thomas was in command of the Thomas Brigade of the Stonewall Jackson Division of the Confederate Army. Heck saw active service in the Second Battle of Manassas Junction, the capture of Harper's Ferry, the Battle of Fredericksburg and several minor skirmishes.

After the war Heck enrolled at Emory College, but by the time he was 18 he had given it up and was a member of the Atlanta police force. These were stormy times and frequent race riots erupted as tempers flared. On these occasions Heck acted with a cool head, clear judgement and utter fearlessness. He played a major role in suppressing a very bad riot and was severely wounded by bullets that tore through his right thigh and left leg.

Heck remained on this job several years until his cousin, J. L. A. "Jim" Thomas, got him a job with the same company Jim was working for, the Texas Express Company, as messenger and agent on the Houston and Texas Central Railway. He was assigned the run between Galveston and Dennison and moved his family, wife and two children, to Dallas.

A few weeks after he went to work for the express company the Sam Bass gang of outlaws held up the train on which his cousin was the messenger. This was at Allen Station about 24 miles north of Dallas on February 22nd, 1878. One of the outlaws, later identified as Tom Spotswood, put his pistol up to Jim's face and demanded, "Your money or your brains!" The messenger kept his brains and the robbers got away with about $3,000.

Heck was present when Jim made his report to the company officials. When Jim finished speaking Heck told him that if it had been his car they wouldn't have stolen the money. The officials merely smiled at the brash statement.

It wasn't long before Heck had a chance to make good his boast. On the night of March 18th the Bass gang struck

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OUTLAWS

He could ride like a Comanche, follow a trail like an Apache, draw fast, shoot straight and fight like ————

Author's Photos

"Heck" Thomas knew what to do when the chips were down.

again. This was at the Hutchins station near Dallas and it was Heck's car they boarded. When he heard the first shots Heck knew it was a holdup and stuffed a package containing $22,000 into the little pot-bellied stove. When the outlaws demanded the money the express car was carrying he handed them a sealed package containing a cut-up newspaper he had prepared for just such an occasion. He told the thieves it contained $22,000 and to take it and spare his life. However, he was severely wounded during the robbery. As a reward for saving the company's money Heck Thomas was given $200 and taken off the run. He was made an agent for the company at Fort Worth.

When Sam Bass opened the package and discovered the trick Thomas had played on him he threatened to kill Heck. When Thomas heard this he said he guessed he'd just have to be ready for Mr. Bass when he tried it.

ON APRIL 5th the Bass gang held up a Texas and Pacific train at Eagle Ford, a little place some six miles west of Dallas and emptied the safe in the express car. After one posse lost the trail Heck and two other men were sent out to find the outlaws. They were able to pick up the trail and follow it for a time, but finally it petered out and they went back to Denton. On the way they came upon two members of the gang but failed to recognize them and these men escaped.

Five days after the Eagle Ford holdup the gang hit another Texas and Pacific train at Mesquite, about 12 miles east of Dallas. But here the train crew and the townspeople weren't having any of it and made it so hot for the outlaws that they beat a hasty retreat, empty handed and with several of their members badly wounded.

Although he had been a member of some of the posses that scoured the Sam Bass country, the only member of the gang Heck helped to capture was Tom Spotswood. Heck's cousin identified this outlaw as the man who had held the gun in his face.

After the Bass gang was blasted out of existence at Round Rock on July 20th, 1878, by the Texas Rangers, Heck was promoted to Chief Agent at Fort Worth. This job kept him inside all the time while he craved action and the chance to match his wits and courage against that of the outlaws. Being a natural born lawman, he was able to stand this sedentary job only so long: seven monotonous years in all.

He ran for city marshal of Fort Worth in 1885 and was defeated by 22 votes although he had 41 of his men standing in line when the polls closed nine minutes early because of a fight at one of the polling places.

With four children to feed, Heck could not afford to remain idle. He formed his own company, the Fort Worth Detective Association, patterned after that of his friend, "Long Hair" Jim Courtright's Commercial Detective Agency.

He had barely opened his office for business when a wealthy Texas rancher came to see him. He introduced himself as Alva Roff. Roff handed Heck a "wanted" poster for two outlaws who were leaders of a gang that was operating in the northern part of Texas and on into the Indian Nation.

This poster described Jim Lee and Pink Lee, brothers. Roff explained that the Lees had killed two of his brothers in the Chickasaw Nation and he wanted them brought to account. He offered Heck a reward of $2,500 for each of the Lee brothers delivered to the sheriff's office at Gainsville—dead or alive. He added that the State of Texas would kick in another $1,000.

Heck Thomas promised to think about it.

The Indian Nations had their own tribal laws and were policed by their own mounted police called Light Horse. Unfortunately, these tribal laws did not apply to non-Indians. The only way a white man could remain in the Nations was to marry an Indian woman.

The Lees had done just this! They built a cabin on their ranch on the Cold Branch Tributary of Caddo Creek. This ranch became a hide-out for outlaws and a stopover for men "On the way to Texas." The cabin was built fort-like to resist attack, having portholes the outlaws could shoot from in an emergency.

Three of the Roff Brothers, Jim, Andy and Joe had come into the Chickasaw Nation in the 1870's. Jim and Andy established their "Roff Brothers 700 Ranch" in what is now Carter County, Oklahoma. The town of Ardmore now occupies the southwest corner of that original ranch. One of the original log ranch houses now stands in the Ardmore

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fair grounds where any visitors who care to can see it.

In later years Joe Roff gave this account of the murder of his brothers by the Lees:

"In the spring of 1885 Jim Roff was riding after their cattle in the Arbuckle Mountains when he saw the Lee brothers and Frank Pierce rustle a small herd of cattle that belonged to several of the ranchers in that area."

A posse was quickly formed and the cattle were trailed to Ed Stein's whisky and grocery store on the Texas side of the Red River at Delaware Bend. Ed Stein was a brother-in-law of the Lees and Delaware Bend was the northern boundary of Cooke County that separated Texas from the Indian Territory. This was a combination that greatly aided the outlaws in eluding capture on numerous occasions. The lawmen were stopped at this boundary, as they could not go out of their authorized territory; but the outlaws had no such barrier.

When the posse arrived at the store Pierce ran from the building, snapped a quick shot at them and leaped on his horse to make a run for it into the Indian Nations. The posse opened up on him with their Winchesters, and he died on a sand bar in the middle of the Red River. During the excitement the rest of the outlaws got away and gathered at the Lee Brothers Ranch on Cold Branch.

Then in Joe Roff's own words again:

"With a view of arresting these parties and also Dallas Humby (Dellahumby, a Creek-Negro outlaw and killer captured by Heck Thomas at a later date) who was staying at the Lee place, Jim Guy, deputy United States marshal, went to the Roff Ranch and requested them to go with him as members of a posse. My older brother Andy knowing the outlaws would be on the lookout and strongly fortified, tried to talk Guy out of the notion, but Guy insisted, and they agreed to go."

THERE were six men in the original posse, Andy and Jim Roff, one of their cowboys, Billy Kirksley, two regular posse-men, Windy Johnson and Emerson Folsom, led by Deputy Marshal Jim Guy.

The morning of May 1st, 1885, Marshal Guy gathered his force of about a dozen men at Henderson's Store on the Washita. This store was eight or ten miles from the Lee Ranch. The posse left the store before dawn and arrived at the Lee Ranch at sunup.

Joe's account of the encounter continues, "When members of the posse came up near the northeast corner of the east room Ed Stein opened the window shutter on the north side and asked what they wanted.

"Marshal Guy said he had writs for Jim and Pink Lee and he wanted them to come out and surrender. Stein told him to come around to the front and they would talk it over.

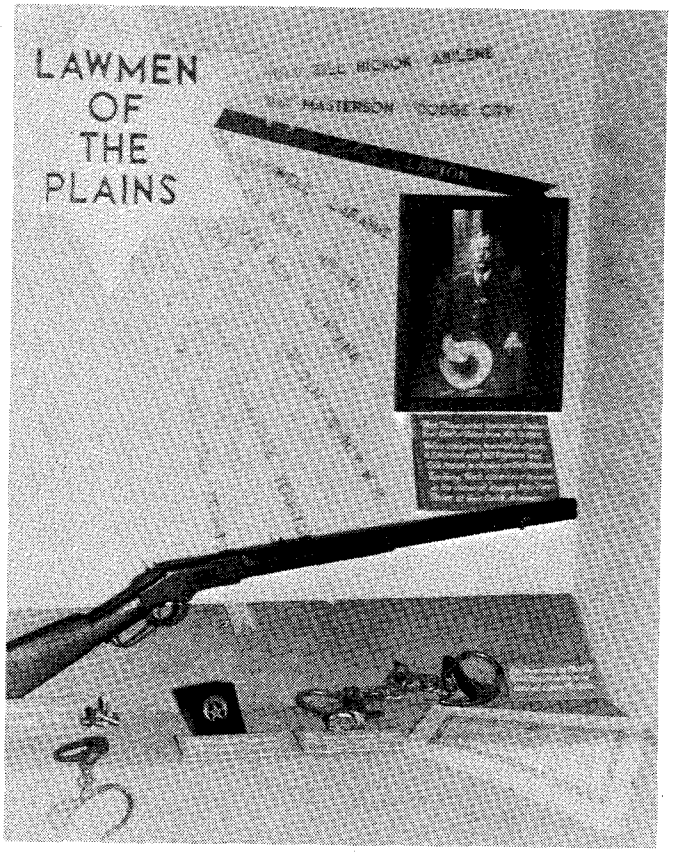
"Guy and Folsom walked around to the front of the house and Guy leaned his gun against a large Oak tree. A moment later a shot was fired from the west room killing the marshal almost instantly.

"A few moments of silence followed and then from the portholes on the east end of the house came a volley of shots into the group of men outside. My two brothers, Andy and Jim, and Billy Kirksey were shot down in the first volley. Jim and Kirksey were killed instantly."

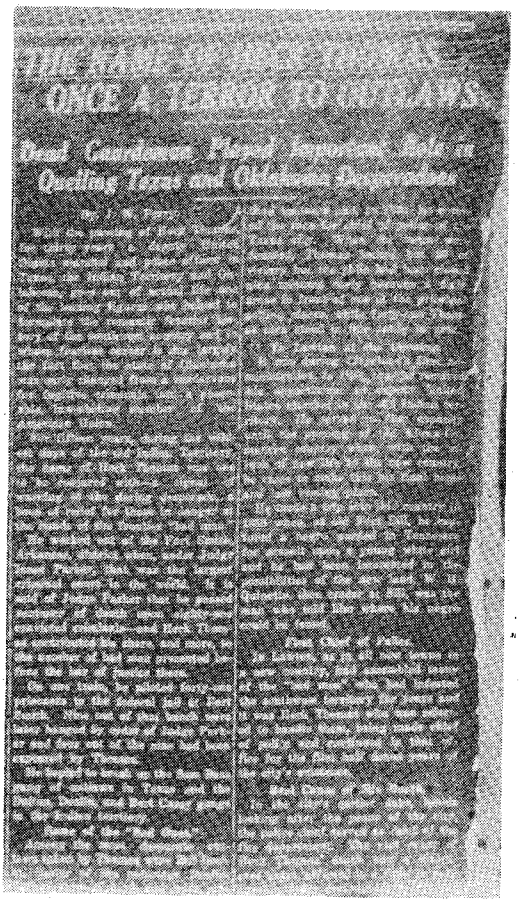
Andy was badly wounded but managed to get some distance from the house and sit down where he could lean against a tree. Apparently one of the outlaws followed him and finished him off at close range as his clothing was powder burned when his body was found.

The other members of the ill-fated posse fled into a gulch and escaped.

After several posses had been unable to locate the Lee brothers, Heck decided to have a



Thomas' photo as Lawton police chief along with his Winchester, leg irons and his cherished gold badge.



Account of Thomas' death in Lawton newspaper.

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Author's Photo

Heck Thomas' tombstone in Highland Cemetery, Lawton.

go at it. But he had no authority to go into the Nations. So, he got in touch with Jim Taylor, a deputy United States marshal in the Chickasaw Nation who worked out of the Fort Smith Court. Heck explained the situation to him and asked if he was interested. Taylor replied by asking Heck if he had a plan.

At this time the territory north of the Red River was an unknown land except to the cattlemen there, the squawmen, outlaws and marshals. The outlaws had a regular system of signals to warn of the approach of a lawman, and the Lees had threatened death to anyone aiding the officers in their search for them. Getting the Lees wasn't going to be easy.

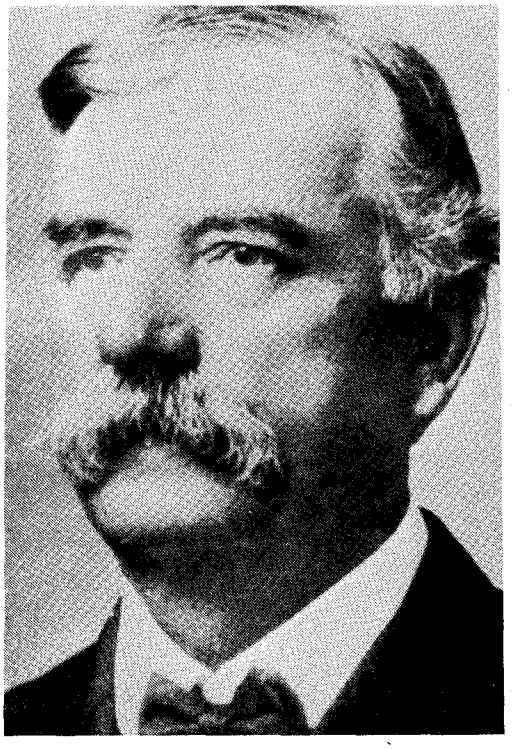
Heck and Jim knew this. After discussing ways and means Heck suggested they go into the Nations prepared to stay for some time and try to flush them out of there and back to the Texas side where they were on their own, with no friends to hide them and no relatives to side with them.

It took the two officers nearly three months, until sometime in September, to run the Lees down. The end came in a hay field on a Texas Ranch.

The Lees had vowed they would not be taken alive, and they kept their vow. When Heck called to them to throw up their hands they answered with lead—and missed. Heck and Taylor didn't.

The officers borrowed a wagon and hauled the bodies to Gainsville where they had them identified and got a receipt from the sheriff for them. Heck Thomas and Jim Taylor shared the reward.

Soon after this Heck wrote to the United States marshal for the Western District of Arkansas and applied for a deputy's commission. He was asked to come to Fort Smith for an interview.



Thomas as he looked when he ran for marshal of Ft. Worth, Texas, in 1885.

AT THIS interview he was told there was no salary, only fees and mileage. Fees consisted of 50 cents for serving papers, two dollars for an arrest and a dollar a day expense money while chasing a person for whom he held a warrant, providing he could turn in receipts for his expenditures. Also he would be allowed 75 cents a day to feed each prisoner. Expenses such as paying for information, hiring a posse or guards came out of his own pocket.

Mileage allowance was six cents a mile while on official business: ten cents for the marshal and his prisoner if he brought in his man. If he had to kill his man he got nothing, even forfeiting the dollar a day prior to the killing.

Heck suggested that a man could do all right if he picked up a few rewards. He was told he couldn't collect any of the rewards offered by the Government as that would be part of the job he was hired to do, and furthermore that frequently the rewards offered by individuals, and even companies, could not be collected.

Undaunted by the dim picture painted for him, Heck said he would still like to be a deputy marshal for that district.

Working out of Judge Parker's Court under United States Marshal Jacob Yoes, Heck Thomas was a member of the posse that put an end to the career of one of the most desperate of the territorial desperadoes, Ned Christie.

Ned Christie was a full-blood Cherokee, handsome and of good family and had served with honor and distinction in both houses of the Cherokee Legislature. He was well educated and spoke English fluently, until he took the wrong fork of the road. From that day on he never spoke a word except in the Cherokee tongue.

By trade Christie was a gunsmith and proficient in the use of firearms. It was this proficiency that launched him on a career of crime. In 1885 he killed Dan Maples, a very well liked United States deputy marshal for some obscure reason. This murder was committed near Tahlequah, Indian Territory.

Killing a United States deputy marshal, particularly one working out of Fort Smith, was a serious business so there was no turning back for Ned. He gathered together a few of his trusted Indian friends and they engaged in horse stealing, whisky peddling and robbery which brought scores of officers after them.

Heck led a posse of deputy marshals who tried to arrest Christie in 1889. In the fight that followed Heck fired a bullet into Ned's face that shattered the bridge of his nose and blinded him in one eye.

Many other fights took place between the deputy marshals and the Christie gang with Christie's bunch generally having the best of it until the second and third day of November, 1892.

Sometime in October of that year Marshal Yoes put Deputies Paden Tolbert and Heck Thomas in charge of a posse to get Christie and his gang.

The posse located Christie and two of his followers in a nearly impregnable log fort Christie had built in the Cookson Hills near Tahlequah. On the morning of November 2nd the posse surrounded the fort.

Arch Wolf started things at daybreak by firing the first shot from the fort. A fierce fight ensued that lasted all that day and until the early dawn of the next morning.

During this time the posse poured approximately 2,000 rounds of rifle and pistol slugs into the fort with no apparent effect. All the while the beleaguered outlaws kept up a steady firing from the building. Several of the posse had their clothes pierced by outlaws' bullets and these narrow escapes left them somewhat at a loss as to what to do next.

Heck volunteered to put six sticks of dynamite against a wall of the building. The explosion blew a big hole in the side of the fort and five of the marshals charged the building, but were met by gun fire from under the floor. As soon as they located the source the marshals returned the fire.

Christie crawled out on the opposite side. The smoke and debris was so thick that the members of the posse guarding that side thought he was one of the marshals until he fired on them so close the powder burned their faces.

They soon recovered from their surprise and Ned died face down in the dirt.

Heck was not a member of the posse that participated in the battle of Ingalls on September 1st, 1893, during which Deputy United States Marshals Tom Houston, Dick Speed and Lafe Shadley were killed by the Doolin gang of outlaws. But it was because of this outrage that E. D. Nix, the United States marshal for the territory called in his three most trusted deputies; Chris Madsen, Bill Tilghman and Heck Thomas. His orders were to get the Doolin gang.

The deputies knew the Doolins used the Bee Dunn Ranch as a hide-out and they had his brother Will Dunn commissioned a special deputy. With Will they went to see Bee and since he was under suspicion for aiding the outlaws he was told to cooperate or else. He wasn't anxious to face the "or else" and agreed to let the marshals know when the outlaws were expected to meet there.

Finally Bee sent word to the marshals through Will. Thomas, Tilghman and three possemen accompanied Will to the

(Continued on page 49)

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Everybody thought the missing men had been killed by Cheyennes... until Edmund Ford got

WYOMING'S MONEY-MAD POISONER

by Dean W. Ballenger

Author's Photo

Polly Bartlett was nice to travelers.

AFTER SIX MONTHS of panning gold in western Wyoming, Carl Armentrout had it made. On July 14, 1867, he saddled up and headed for civilization. Two days later he stopped at the Bartlett Inn, which was three miles east of South Pass City, Wyoming.

"You sure you've got the cash money to pay for a meal?" Polly Bartlett, the owner's high-stepping daughter, asked after Armentrout told her to whomp up a red steak. "I ain't being nosey but we can't afford to feed every rock busted ————that comes along."

"You don't need to fret about me," Armentrout said, eager to impress this alluring woman with the fact that he wasn't a down and outer. "I hit it good."

Polly went into the kitchen and cooked a steak for Armentrout, meanwhile sprinkling it liberally with arsenic.

Armentrout had completed his meal and was draining his glass of beer when his body suddenly stiffened. He slid to the floor. His body writhed for several moments. Then he died.

Stephen Bartlett, Polly's father, came out of the kitchen and turned the dead man over. Polly slit open his shirt, removed the leather pouch he had worn around his belly and opened it. "This one's good for seven-eight thousand." She looked up at her father. "Take him out and plant him."

Stephen slung the body over his shoulder, carried it back of the barn and dropped it into a freshly dug grave. He shoveled dirt onto the body and covered the grave with hay. In the morning, after the cows walked around on it munching the hay, it wouldn't appear to be a recent excavation.

Bartlett went back to the dining room. "Tell Hattie I want a fried chicken supper with smashed spuds," he said to Polly.

Hattie, Bartlett's addled niece and first cousin of Polly, slept with Stephen.

This unsavory family had originated in Ohio. Bartlett operated a saloon in a shabby section of Cincinnati. Polly, who exercised an ominous domination over her father, was a barmaid; she also took the more affluent customer upstairs and while she entertained these men, her father looted their wallets and money belts.

In the spring of 1867 the Bartletts succumbed to the lure of fast and easy riches in the Colorado gold fields. Accompanied by Hattie, who had lived with them since girlhood, they traveled by train to Council Bluffs, Iowa, then crossed the Missouri River on a ferry. In Omaha they purchased a Conestoga wagon. Late in June they arrived in the area of the present town of Idaho Springs, Colorado, a rugged mining community in the Rocky Mountains.

They learned quickly that prospecting for gold was back-breaking, frustrating labor, and that for every one who struck it rich, a thousand failed. In August they decided to go on to Oregon and establish a saloon.

A few weeks later they encamped near South Pass City, Wyoming. While Hattie, who did all the work, was preparing the evening meal a middle-aged man named Lewis Nichols rode up on a buckskin gelding. "I ain't et a woman-cooked meal since I came to the gold fields," he said, alternating his gaze between Polly and the buffalo steaks in the skillets. He offered to pay $10 for the privilege of eating with the Bartletts—a fantastic sum in an era when the costliest restaurant meal seldom exceeded a dollar. He could afford it, he said expansively; he had made a strike in the South Pass gold field.

The Bartletts stared open-mouthed while Nichols extracted a $10 gold coin from a bulging leather poke. A few moments later, while Nichols' attention was focused on the steaks, Polly whispered to her father. He looked incredulously at his daughter, then he grinned.

He went to Nichols and engaged him in conversation, luring his attention from the steaks. Meanwhile Polly salted his steak with the arsenic they had purchased in Denver, which they sprinkled around their tent each night to repel Rocky Mountain ticks.

Before Nichols finished his steak he was seized by convulsions. He died a few minutes later. Then Polly removed his poke. She dumped its gold coins onto a blanket and counted them. They totaled a little less than $4000. "When we get to Oregon," Bartlett said happily, running his fingers through the coins, "we can afford to . . ."

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to thinking about the strange goings-on the night he made love to the innkeeper's daughter

"We ain't going to Oregon," Polly said. "We're going to stay here and open up an inn. And every time some rich ———— comes along we're going to put the kibosh on him." People would think he had been bushwhacked by Cheyennes, or by the white renegades who roamed the area, she said.

WITHIN a week the Bartletts selected the site for their inn. It was a discreet choice and it portrayed Polly's astuteness. There was much traffic. The South Pass afforded the easiest passage over the Continental Divide to Green River Valley, Colter's Hell (Yellowstone National Park), the Three Forks of the Missouri on the north, to Bear Lake, Cache Valley, Ogden's Hole, the Great Salt Lake Valley, and the Pacific territories.

The town of South Pass City, three miles west of the inn's site, was among the nation's most important outposts on the frontier of western communications and transportation. Located on present Wyoming State Highway 28 between Rock Springs and Lander, and now a ghost town of about 30 population, in 1867 it was the northern terminal for two stage lines connecting with the Union Pacific railroad at Point of Rocks, 80 miles south. It had five hotels, 17 saloons, three general stores, two bakeries, a weekly newspaper, two doctors who also functioned as dentists, and two undertakers who divided their time between the customers and their gold diggings.

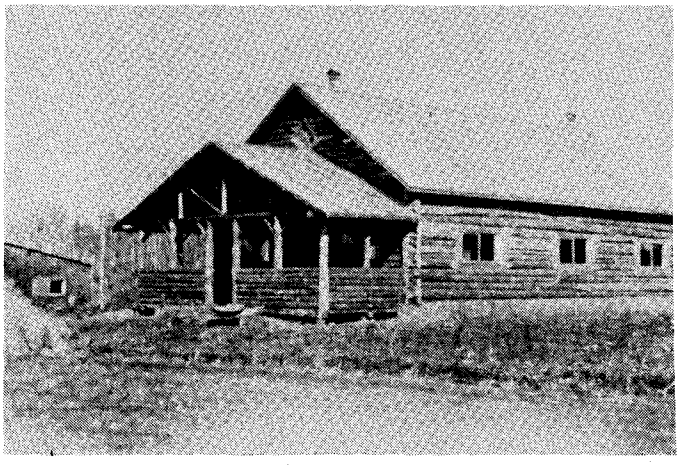
Polly's decision to locate east of this thriving frontier town was no happenstance. The traffic was west-bound; the Bartletts would have an opportunity to ply their evil scheme upon travelers before the gamblers and entrepreneurs in town could fleece them.

Nichols' money financed the construction and furnishing of an impressive log structure. Polly named it "Bartlett's Inn."

About a week after its completion, a drummer named Timothy Flaherty, en route to South Pass City, appeared at the inn. Polly plied him with whisky and questions and after she learned that he was carrying about $2000 of collections for his firm, she detained him until the other patrons went away by strolling with him in the woods near the inn and hinting that steaks weren't the only hospitality she intended to dispense.

Polly and Flaherty returned to the inn about dusk. Immediately Polly prepared a steak for Flaherty. He was dead a half hour later.

Remains of Bartlett's Inn near South Pass City, Wyoming.



Wyoming Historical Society Photo

Author's Photo

Edmund Ford was a very lucky man.

Polly and her father were elated. The inn's first murder-robbery had gone off without the slightest hitch.

During the winter of 1867-68 the Bartletts dispatched an incalculable number of victims. Later it was estimated that at least seven men died during this period. The Bartletts' technique did not vary. Polly sprinkled a victim's food with arsenic. A few minutes later she looted his body. Then Stephen buried it in the grave he had dug during the time Polly had been cajoling the victim.

The only intended victim who escaped the Bartletts' trap was a 29-year-old cattle buyer named Edmund Ford.

He showed up at the inn the evening of June 14, 1868. He looked and talked prosperous but because the inn was filled with customers the Bartletts couldn't dispatch him by their usual technique. "I'll stall him until these steak chompers ride," Polly whispered to her father.

She turned to Ford. "If you ain't in no special hurry," she said, "let's go up in the haymow and look at the moon come over the mountains. Then I'll whomp up a couple steaks and eat with you."

A man would have had to be a bung head to reject this offer, especially since Polly hinted that looking at the moon wasn't all they'd do.

Soon Polly and Ford were in the haymow. "Wait here," Polly said, playfully shoving Ford onto the hay near the entrance through which they had climbed into the barn's loft. She went behind a pile of hay. Ford stared through the loosely stacked and transparent hay.

He heard a creak. It came from the haymow's ladder. Curious, he turned around. Stephen Bartlett was creeping up the ladder. "I was going to put my axe up here before it got lost," he mumbled.

He climbed on up and laid a double-blade axe against a beam, then climbed down and went out of the barn.

Ford turned his attention back to Polly. Soon this voluptuous woman was in his arms.

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Intriguing minutes elapsed. "I brought you some whisky, Mr. Ford," a voice said.

Startled, Ford looked around. Bartlett was standing on the ladder. Only his head extended above the loft's floor. He was grinning. Whisky, he said, winking at Ford, perks a man up. He extended the bottle.

Embarrassed and red-faced, Ford took the bottle. He watched Bartlett descend the ladder and go out the barn door and trudge toward the inn. Then he said to Polly, "We're going some place where that snoopy old man can't bother us all the time."

"All right," Polly said. "Drink your whisky and let's get going."

"I'm on the wagon," Ford said, putting the bottle on the floor. "Whisky makes me sicker'n a wet hen."

Polly's eyes narrowed. Then she said, "Get on your nag and ride, mister. I ain't interested in no goody-goody!"

"OK, you ain't no prize, anyhow," Ford snapped. He climbed down the ladder, mounted his horse and rode to South Pass City.

THE SPRING of 1868 passed into summer. In this time the Bartletts murdered and robbed 14 men.

Ford's brother Sam was one of their victims. He was an affluent cattle broker in St. Louis and he had been en route to South Pass City to discuss business with his brother when he stopped at Bartlett's Inn. An hour later Polly poisoned him.

Ford was dismayed by his brother's failure to arrive in South Pass City, but he assumed that he had been ambushed and murdered by road agents. This was a reasonable conclusion; Sam dressed like a prosperous man and he always carried large sums of money so he could make a deal on the spot.

Several weeks elapsed. On August 14, Theodore Fountain, 23, the son of wealthy mine owner Bernard (Barney) Fountain, failed to arrive on the stage from Point of Rocks, the Union Pacific station 80 miles south of South Pass City. Teddy had been touring Europe, and had intended to spend two weeks in his parents' baronial home before returning to his studies at Albright College in Reading, Pennsylvania.

During the subsequent eight days four more stages arrived from Point of Rocks. Teddy was not a passenger on any of them. Alarmed and frightened, tough, unsophisticated Barney Fountain hired three teams of trail-wise Western men to find his son. "The last letter we got was sent from my sister's house in Bellevue, Nebraska," he said. "Trace Teddy from there and I don't give a damn what it costs!"

Four weeks later the scouts reported that Teddy's trail had ended at Bartlett's Inn the night of August 13. Immediately Fountain strapped on his .44s and, accompanied by Marshal Lombardi and two deputies, he rode to the inn.

"I remember your son," Polly said a little later. "Because he told me he had gotten off the train at North Platte and bought a horse for the rest of the journey. My father and brother told him it was folly for a man to travel alone in this region at night. But he ignored their advice and, after the meal he rode toward South Pass City. He wanted to surprise his parents," Polly added, wiping tears from her eyes.

The scouts had learned that Teddy had abandoned the train at North Platte and had purchased a horse so Polly's explanation of Teddy's departure from the inn did

Polly was killed when a night rider fired his shotgun through the window of her prison cell.

not seem illogical. "He was ambushed somewhere between the inn and town," Fountain speculated during the return to South Pass City. "And even if it costs me a million dollars I'm going to find the man who did it."

Word of Fountain's suspicion of the Bartletts quickly became the principal topic of conversation in South Pass City and in the morning Ford was assailed by a sudden though terribly belated burst of clairvoyance. He began to associate a parallel to his missing brother and Teddy Fountain and the strange actions of the Bartletts the night he had played in the hay with Polly.

Ford went to the office of Marshal Adam Lombardi, South Pass City's tough, cigar-chewing lawman. He told him of the Bartletts' odd behavior. "Now that I've thought about it," he said, "I wonder if they were trying to poison me with something in that whisky. If they were, I'll bet they poisoned my brother and Teddy Fountain."

"Why should they want to kill you . . . or the others?" Lombardi said.

"I was carrying five or six thousand, like I always do so I can deal whenever a drover shows up, in case it's after banking hours. My brother always carried enough for a deal, too. And you can bet that Teddy Fountain wasn't traveling with just 15¢ in his poke. The way I figure it," Ford added, "the Bartletts calculated that everyone would think the men they murdered were killed by Cheyennes. Or road agents. Which is exactly what everybody thought, including me."

Lombardi chewed pensively on his cigar before he said, "It sounds possible except for one factor. How did the Bartletts know these men—and you—had substantial sums of money in your possession?"

"I've thought about that part, too," Ford said. "Of course I don't know what went on with Sam and Teddy Fountain but I recall that somehow Polly Bartlett wheedled me into bragging about the money I had in my belt pouch."

"You think Polly had something to do with the murders?"

"I sure as hell do!"

AN HOUR later Ford, Fountain and Marshal Lombardi and his deputies tied their horses to the hitching rail at Bartlett's Inn. "We're going to look around," Lombardi said to the Bartletts, who had come out the door to see what was going on.

For three hours the searchers inspected the outbuildings and the surrounding slopes and forest. Then they went into the inn and looked around. They found nothing there, either, which indicated that anyone had been murdered or buried on the premises.

"I'm sorry that you men didn't find whatever you were looking for," Polly said. Then this brazen woman offered to serve steaks to the search party. "On the house," she said with an enchanting smile.

After the meal the searchers rode toward South Pass City. "You had me wondering for a while," Lombardi said to Ford. "But the Bartletts couldn't have had anything to do with the disappearance of your brother or Teddy Fountain. There's no trace of graves and no caves in which bodies could be concealed. Also, what would they have done with the horses? They wouldn't have been so stupid as to sell them. And horses aren't something you can hide easily."

About noon the next day a trail boss named Billy Gordon came into the marshal's office. "I heard about you and Fountain snooping around out at Bartletts' place," he said. "Well, today they're not there. It strikes me as peculiar they'd go away when everybody knows there are three trains of pilgrims coming toward the pass that haven't had a decent meal since they left Omaha."

Within an hour Ford, Fountain and Lombardi and his deputies rode onto the inn's premises. "They shoved off in a hurry," Lombardi said after he and the others broke into the inn. He turned to Ford, "I've got a hunch that you were right all along. But where could they have concealed the bodies?"

It was mid-afternoon before Ford said, "We've looked every place except the one place that wouldn't show the graves had been dug—the cow lot." Cows tromping around in that relatively small enclosure, he said, would quickly obscure evidence of graves.

The Bartletts had abandoned their cows. The deputies drove them into the barn. Then the searchers began to dig. Soon they uncovered the remains of a human body.

They discovered another body. Then a third. The fourth was Ford's brother Sam. Ford identified it by a Masonic ring on which the dead man's name had been etched.

Several minutes later the diggers lifted the remains of Teddy Fountain from its grave. The dead youth's father identified him by his belt. "It looks like brass but it ain't," he said. "I had it made from gold from one of my mines and Teddy's mother and I sent it to him for his birthday."

Then Fountain began to sob. He regretted that he had come West to prospect for gold; if he hadn't become a rich man his son would still be alive. "I wish," this grieving man mumbled, "that I was still blacksmithing back in Missouri."

Twenty-two bodies were found. On the ride back to town Lombardi said, "We've been worrying about Bartletts' disposition of the horses. I've got it now, they gave them to the Cheyennes. That explains why Cheyenne war parties never molested them. I should have thought of that from the beginning," he muttered in self reproach.

Two days later the Territorial Legislature authorized a $3,000 reward for the apprehension of the Bartletts. Meanwhile Barney Fountain announced that he would pay $10,000—a fabulous sum in the 1860s—for the Bartletts. "And they don't have to be alive!" he said bitterly.

These bounties inspired numerous men to search for the murderers. But others were already searching; Marshal Lombardi and several deputized posses and Ford, who hunted alone.

Ford recalled that Polly had mentioned her family's original plans to go to Oregon. Gambling that they were fleeing to the

(Continued on page 64)

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THE REAL MOLLY BROWN

by Louise Cheney

If you saw the movie or stage musical about the lady they called "unsinkable" you will want to know this Colorado firebrand's true story

Denver Public Library Western Collection Photo

OF THE MANY SURVIVORS of the ill-fated *Titanic*, only one became the subject of a smash hit Broadway musical. That one was Margaret Tobin Brown thereafter known as the Unsinkable Molly Brown. The daughter of a poor ditch digger in Hannibal, Missouri, Mollie literally rose from rags to riches in the mining town of Leadville, Colorado. From then on her most cherished dream was to crash Denver high society. The lusty saga of her life reads like a fiction thriller, for she was truly one of the most flamboyant and spectacular characters the Old West ever knew. It is indeed a pity that she is not alive today to see her brassy self portrayed upon the stage and in the movies, for Molly Brown, lovable publicity hound that she was, would have eaten it up.

Maggie, as she was known before she showed a preference for Molly, was born in Hannibal in July, 1867, one of seven children of a poor Irish family. Daniel Tobin, her eldest brother, was her favorite and for him she visioned great things.

By the time she was in her teens Maggie was working as a waitress in the Park Hotel in Hannibal. It was while she was employed there that Mark Twain, another native son and then famous as a writer, made a trip back to his home town. Maggie persuaded the hotel manager to let her wait on the famous man's table. He regaled her with glowing tales of the fabulous gold and silver mines in Nevada and California. He also pointed out that rich deposits of the precious metals had been discovered in the Rockies. That talk settled Maggie's future plans. She made up her mind to urge Daniel to head for Leadville, Colorado, seat of the newest silver strike.

Daniel left Hannibal in 1883 and secured work with John Laundrigan, a blacksmith in Leadville. Maggie followed a year later with all her worldly goods in a carpet bag and

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her grub for the trip in a shoe box. In Leadville she rented a room near Daniel in a boarding house on Fifth Street very near Carbonate Hill. Daniel was now working in the mines. Maggie obtained a job waiting on tables and "walloping" pots and pans at the boarding house.

Later she worked in Daniels, Fisher and Smith's Emporium on Harrison Avenue. Maggie was seventeen, red haired and beautiful. James J. Brown, manager of the Louisville Mine in Leadville saw the Irish redhead and liked her looks. He managed to secure an introduction, but at first Maggie was not in the least interested in him. To her way of thinking he was an old man since he was almost twice her age, thirty-one. But Jim pressed his suit. He hired fine rigs and good horses to take her riding and assured her that some day he would be a very rich man. In the end Maggie agreed to become Mrs. Brown. Maggie and Jim were married in the Church of the Annunciation in Leadville. Their first home was a two-room log cabin.

Not long after the wedding a story was told that Jim brought home a large amount of money which Maggie hid in a wood stove. Jim, so the tale continues, returned home after celebrating in a Leadville saloon and kindled a fire in the stove, burning up the money. At first Maggie said the sum was $10,000, but by 1953 a story appeared listing the Browns' loss as $300,000! As a matter of fact paper money was not used in the Colorado mining camps until after World War I. Actually Maggie hid $75.00 in silver and gold in the stove. It melted and she and Jim dug it out of the ashes.

BY THE late eighties Jim had begun to prosper as a mine manager. Also by this time the Browns had two children, Lawrence and Helen. They left the log cabin for a larger house in Leadville. It was in 1894 that Jim really hit big time pay dirt when he turned up gold in the Little Jonny mine where he was manager. Because he was excellent help and developed the gold after the collapse of silver in the great Panic of '93, his employers gave him one-eighth interest in the Little Jonny.

The mine was soon paying magnificent dividends and the J. J. Browns moved to Denver where they purchased a brownstone mansion at 1340 Pennsylvania Avenue. Soon the house was known as the House of Lions, for Maggie placed four carved lions sitting and standing on a wall that framed the approach to the stone steps of the entrance. (The house still stands in Denver and two of the lions remain.)

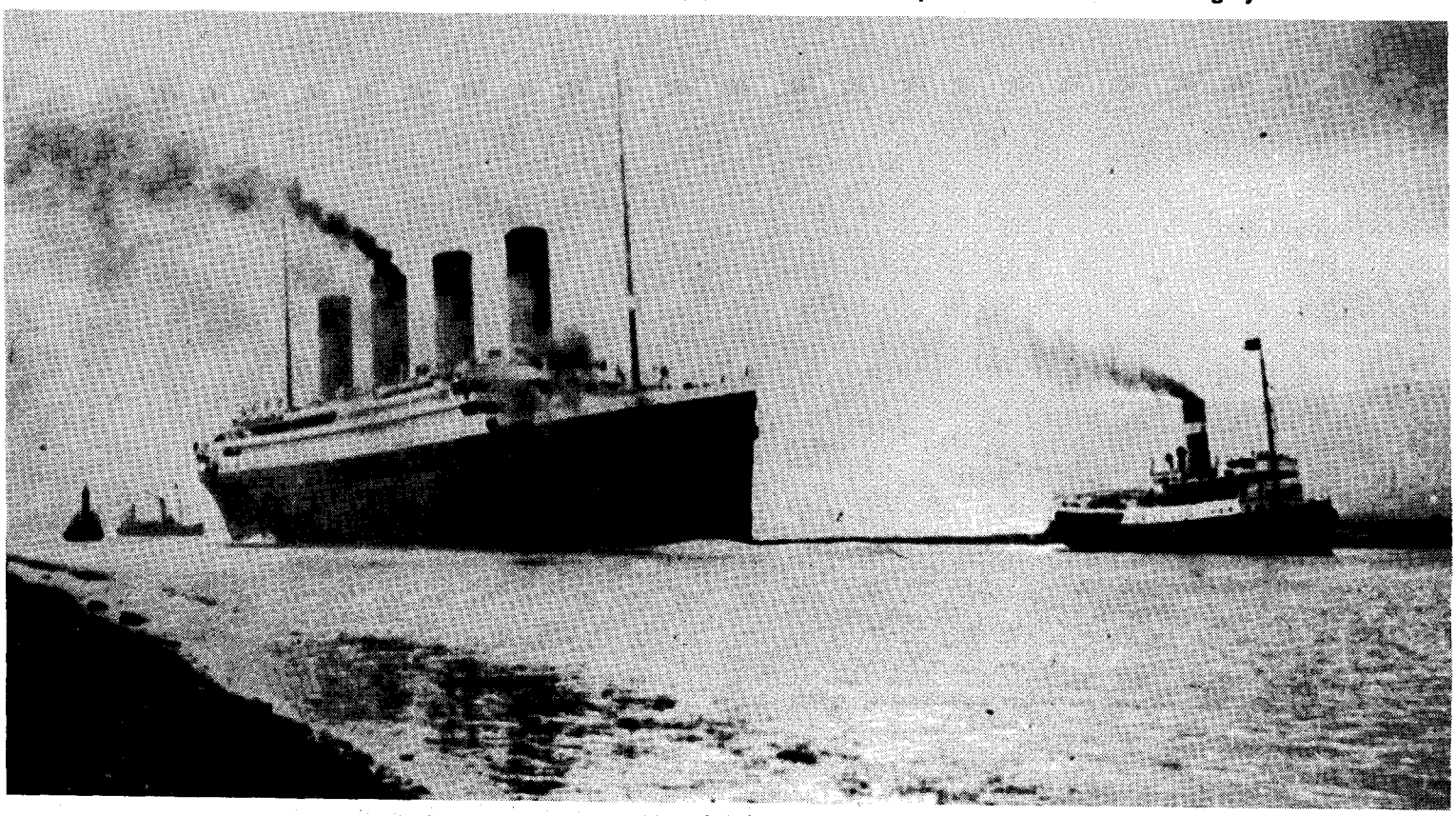
Now with more money in her pocket than she had ever seen in her life Maggie Brown, the former pot walloper of Leadville, set out to crash the high society circles of Denver. Illiterate and crude, she soon became the laughing stock of the city.

She purchased a place in the country which she named Avoca. She wrote a letter to the local scandal sheet, *Polly Pry*, and explained in the language of her childhood, that of the Mississippi River bottom, why she chose the high sounding title for her country home. Denver society laughed long and loud at her literary attempt. Maggie was humiliated but undaunted. Some day, somehow in some way she would enter the charmed circle of Denver society. The most select set in Denver was the "Sacred Thirty-Six" and Maggie vowed to become a member.

Maggie continued her crusade and was snubbed time after time, but the redhead from Hannibal was unshakeable. She would crash the sacred circle, she would, she would!

She made a trip to Europe where she hired tutors to teach her the social graces, correct English, foreign languages, singing, elocution and appreciation of the arts. For eight years she toured abroad, constantly studying, learning and acquir-

If anyone had any doubts about Molly Brown's courage those doubts were dispelled in the "S. S. Titanic" tragedy.



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ing culture. And there she was accepted by the elite. She was admired and liked all over the continent.

But even though she was a smash hit with European society the snubs she had received at the hands of Denver's Sacred Thirty-Six still rankled in Maggie's bosom. So from time to time she returned from abroad to continue her assault on Denver society. She gave lavish parties, but still she was snubbed. Few of the invited guests even showed. More often than not the great quantities of food she ordered for these affairs was given to the children of the neighborhood.

Maggie had a liking for fantastic gowns. She also developed a yen for fine furs. When in Denver, she would, dressed to the teeth, swagger down Seventeenth Street past the swank Denver Club hoping to impress the members. The men laughed at her antics and soon greeted her appearance with the words, "Here comes Colorado's unique fur-bearing animal."

Jim Brown didn't "cotton" in the least toward Maggie's social ambitions. He now had his own mining office and some Denver real estate and held investments in the mines of Creede, South Park and the Arizona camps. His various interests required quite a bit of travel on his part. But when he was at home in the House of Lions he liked the simple pleasures. He wanted Maggie to stay at home and entertain plain folks. He preferred his old mining buddies to Maggie's socialite friends. When his wife would throw one of her gala parties Jim would sulk in the basement.

Gradually the two grew apart. They quarreled frequently. Jim drank too much and had a roving eye for other women. Finally the end came to Maggie's wedded bliss in a manner that caused Denver society to chuckle afresh. She was giving her vast energy to a Catholic Fair, situated just opposite the state capitol grounds. She conceived the brilliant idea that an encampment of Indians in native dress on the state grounds would lend atmosphere and glamor to the festival and prove a drawing card for the crowds she hoped for.

Accordingly, she invited some peaceful Cheyennes to bring along their tepees, ragged ponies and other worldly goods and pitch camp upon the capitol grounds. But the governor of Colorado and the legislators found the arrangement not at all to their liking. In no uncertain terms the redmen were ordered to fold their tents and fade, but pronto. So the puzzled Cheyennes toted their belongings to Maggie's mansion of lions. Redheaded Mrs. Brown was furious at the lack of understanding on the part of the government dignitaries and said grandly to the Indians, "Hell, you can camp on my lawn."

Soon the spacious grounds of the Browns' domicile were sprinkled with Indian tepees and their scrubby ponies were tethered to her elegant carriage house. Practically all of Denver came by. They saw and they left laughing fit to kill.

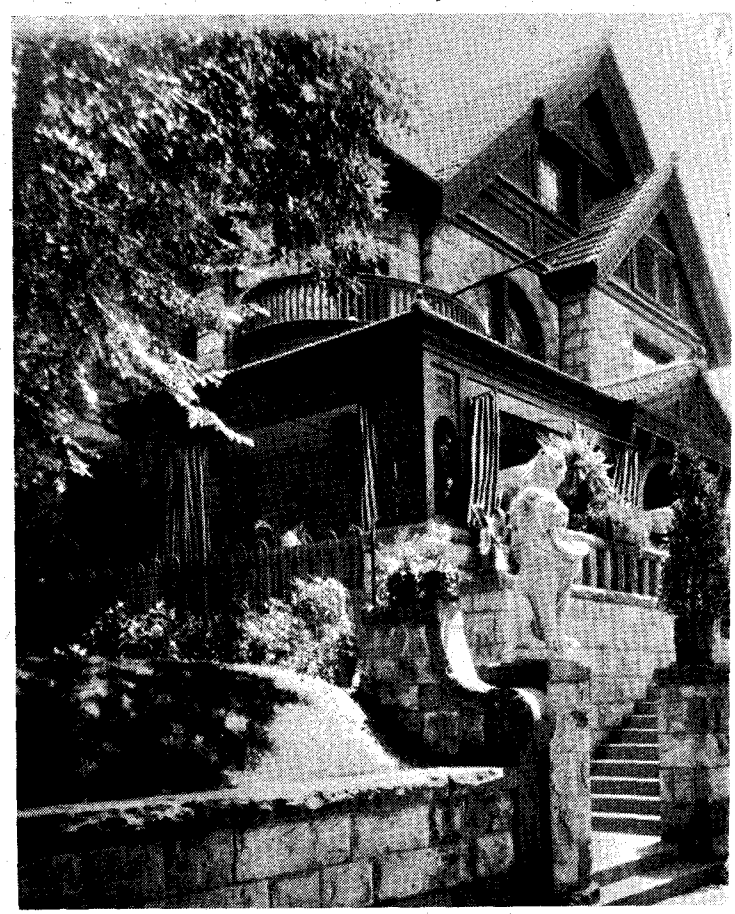
And then Jim Brown appeared upon the scene. He returned from a trip to the mines and when his horrified eyes fell upon the grotesque sight in his front yard his Irish temper flared. Telling Maggie he was finished and so was their marriage, he furiously made tracks for Arizona and refused to return. Maggie continued to bend her energies to the fair which turned out to be a huge success. At its end she rented the House of Lions and hied herself to New York.

JIM and Maggie never patched up their broken marriage. He continued to support her; but he lived in the mining camps. Maggie continued her pursuit of knowledge and culture. She toured Switzerland where she learned to yodel. Then she traveled to Spain and learned to play the guitar.

When she returned to America she made plans to rent a house in Newport. During the years she had struck up a friendship with the Countess Annie Leary, daughter of a New York hatter who had acquired a papal title through the Vatican. The Countess visited Maggie in Denver in 1910.

Molly's husband, James J. Brown, in 1908.

Brown mansion at 1340 Pennsylvania Avenue, Denver.



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After that Maggie took her beautiful daughter, Helen, then twenty-one, to return the visit in Newport at the home of the Countess.

Maggie first rented an apartment at the Defossez Cottage and later moved to a cottage at 44 Bellevue. In Newport she tried amateur theatricals and was a howling success. Immensely popular, she was soon accepted in the top society of the island. The woman who had been snubbed and laughed at in Denver became the fashion in Newport. She met the Astors, the Vanderbilts and the Whitneys; and was soon calling them by their first names.

Maggie had a vivid imagination and a flair for the dramatic. She put her talents to good use. She began to relate fabulous stories about her life. One was that her ex-husband was none other than the famous "Leadville Johnny," the immensely rich mining magnate of Colorado. In reality, "Leadville Johnny" was John F. Campion, owner of the Little Jonny where Jim Brown was manager. He was a much richer and more famous man than Jim. But to Maggie the tale was a "good story," so she told it with gusto. Evidently its authenticity was never questioned in the East.

Another of Maggie's astounding fabrications was concerned with Mark Twain. She recounted solemnly that Mark had been an old friend of her family. One evening she gave a lecture entitled, "My Relations with Mark Twain." In the story she was supposed to have been caught in a rowboat on the Mississippi in a hurricane. Mark Twain happened along just in time to plunge into the swirling waters and swim to her rescue. Hurricanes have never been reported in any area of Missouri.

Maggie changed the name of her cottage to "Mon Etui" and remodeled its dining-room into a grotto. She fitted up one end of the living room as a stage. She also employed a short, deformed Negro whom she rigged out as a Nubian slave to wait upon her guests.

In this atmosphere she entertained, calling her affairs "An Evening With Molly Brown." She had come to think Maggie not elegant enough, so she encouraged her friends to call her Molly.

During her residence at Newport Maggie took her daughter, Helen, to England where she hoped the two of them would be presented at the Court of St. James. Sure that her bid to curtsey before his majesty of Great Britain would be accepted, she purchased fabulous gowns for the occasion. But Maggie suffered keen disappointment when the American Ambassador refused her pleas.

However, Maggie claimed to have been presented and gave colorful descriptions of the pomp and pageantry of the royal court. In the membership list in the Newport Social Index she stated that she was a member of the National Society of Colonial Daughters, an organization that never existed.

Maggie was well known for her keen wit. Once she invited a prominent bachelor of Newport to be her dinner guest. She extolled the virtues of her cook as a drawing card. Unimpressed, the gentleman answered stiffly that he had a very good cook at his establishment.

"Why, how wonderful," quipped Maggie, "bring her along, too." The man was so amused that he accepted and attended Maggie's dinner party. In time he grew to admire the brassy redhead and became her staunch friend.

IN THE winter of 1911-1912 Maggie toured abroad. She visited Egypt where she met John Jacob Astor and his young wife, Madeleine Force Astor. When they told her they were returning to America on the new White Star ship *Titanic*, Maggie decided to sail with them.

On the night of April 14, 1912, Maggie, dressed in the height of fashion in a two-piece black and white suit, was walking the promenade deck with a friend, George A. Brayton of Los Angeles. Suddenly

Stairway of Brown home decorated for a party.

Denver Public Library Western Collection Photos

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the great liner bumped and lurched as it scraped a huge iceberg in the North Atlantic.

At first the passengers on the ship which was reputed to be unsinkable were not alarmed. Maggie, along with several others, more curious than frightened, walked around the deck to learn what had happened. A ship's officer informed them that the *Titanic* had struck a berg but that there was no danger. However, Captain Smith ordered the lifeboats lowered.

Maggie hastened to her cabin to collect her jewels and to pick up her sable stole. Below, she found the passengers in a panic. Calmly she advised them to dress before going on deck, but many rushed up the steps in their night clothing.

Maggie told later that she was excited but never afraid. She snatched up her jewels and stole and picked up a life belt. When she returned to the deck the ship was listing and the floor was tilting. It was then that she heard the tragic news that there were not enough lifeboats to accommodate the passengers. Also the lowering equipment refused to function on some that were on the ship. By now the deck was jammed. The passengers for the most part were calm, but all were possessed of a great fear. One by one the lifeboats were filled as rapidly as possible. Only women and children were allowed to board them.

Calmly Maggie walked from one loading station to another helping the women and children into the boats. She saw gallant John Jacob Astor bid his young wife goodbye and heard elderly Mrs. Isadore Strauss refuse to leave her husband.

By now it was one o'clock on the morning of April 15. Maggie stood near lifeboat number six as it was loaded. Two of her friends, Edward P. Calderhead and James R. McCough, stood by her. Suddenly they lifted Maggie and hoisted her aboard the boat.

The *Titanic* was listing badly and the deck had a definite tilt. The ship's orchestra assembled on deck and began to play. The tune was *Autumn*, but the story circulated later that the musicians had played *Nearer My God to Thee*. As Maggie sat in the boat waiting for it to be lowered to the sea, she took out her rosary and prayed for those who were jumping into the icy North Atlantic.

When the boat was lowered it was learned that only one seaman was aboard as a helper to Quartermaster Hitchens at the tiller. A woman called back to the men at the loading station. Major A. G. Peuchen, vice-commodore of the Royal Canadian Yacht Club, swung himself down into the boat by the rope.

After lifeboat number six hit the water the occupants realized that it was in danger of being sucked under by the undertow of the sinking *Titanic*. Maggie snatched off her belt and grabbed an oar. "I learned how to row when I was a kid on the Mississippi," she explained, "and I still know how."

The seaman, the Major and Maggie each manned an oar. Maggie organized two women, one to hold and the other to pull, to handle the fourth oar. Slowly they pulled away from the undertow of the doomed liner into the ice strewn Atlantic. Two other women, taking courage from the staunch Mrs. Brown, offered to do their share of rowing.

As the boat slid through the dark, icy waters Maggie proposed that they all sing. Although the *Titanic* was listing precariously the orchestra was still playing *Autumn*. Maggie's magnificent voice caught up the tune. Others joined in. The women grew calmer and the boat moved on, now out of danger of the undertow.

Quartermaster Hitchens was at the tiller. He refused the pleas of the occupants of lifeboat number six to turn back and pick up the many survivors who were swimming in the ice filled sea. He also refused to help with the rowing and allow a woman to man the tiller. At two-twenty the mighty *Titanic* sank into the Atlantic.

Hitchens continued to give trouble. He lost his nerve completely and told the passengers in number six that their plight was hopeless. They had no food, water or even a compass. "Shut up and row," roared Maggie. Number six then tied on to lifeboat number sixteen and Maggie persuaded a stoker to come aboard and help. Hitchens attempted to halt him but Maggie told him if he interfered she would throw him overboard. After that Hitchens sulked and Maggie assumed command of the boat. The stoker had no coat and was suffering intensely from the cold. Maggie took off her sable stole and wrapped it about him.

AT THREE-THIRTY in the morning the occupants of the lifeboats in the icy Atlantic saw rockets. They were coming from the *SS Carpathia*, pushing full speed to the rescue. Around 4 A.M. it arrived in the vicinity of the sunken *Titanic* and began to pick up survivors. Maggie's boat had drifted and was one of the last to be rescued. It was 7 A.M. before Maggie and her boat mates boarded the *Carpathia*. They had been in the North Atlantic in the open lifeboat for six hours. Maggie Brown had manned an oar the entire time. Although her hands were blistered, she was in good spirits.

The *Titanic* had received its death thrust from the iceberg on Sunday night. The following Thursday the *Carpathia* docked with the survivors aboard in New York.

It was on the journey home that Maggie rose to heights she had never before attained. The lounging saloon of the rescue ship was turned into a hospital for the sick. Maggie worked there day and night nursing the ill. Gone now were her social aspirations, her grand manners, submerged in compassion for her fellow human beings. She was especially concerned over the plight of the immigrant women who understood no English and who had lost their husbands and all their money in the tragedy. Maggie made use of her knowledge of German and French to talk with them. She found out whether they had relatives in the United States. To these relatives she appealed for help via wireless. She then started a crusade on board ship to collect a purse for the penniless immigrant women and children. She set her sights for $10,000 and collected $7,000.

Captain A. H. Rostron of the *Carpathia* gave Maggie the highest praise for the help she gave him because she was one of the few survivors who was able to rise above the tragedy and aid the less fortunate. Maggie had often described herself as possessing a heart as big as a ham and certainly she proved the statement after the disaster. Her unselfishness and devotion to humanity was the talk of the ship. She was the most beloved woman on the boat. Truly it was her finest hour.

When the *Carpathia* arrived in New York reporters swarmed upon the docks. One who knew Maggie said, "So you came through?"

"Oh, yes," quipped the heroine of the *Titanic*. "The Brown luck you know. I'm unsinkable." And from then on Maggie was known as "the unsinkable Mrs. Brown", a title she loved.

Two weeks later the woman that Denver society had snubbed returned to her home in triumph. The House of Lions was rented, so she took a suite at the Brown Palace Hotel. Reporters and friends rushed to her rooms and she was deluged with telegrams and messages. Maggie was in her glory as she recounted her experience on the North Atlantic. Her imagination soared and the true incidents were magnified many times. Still Maggie was a bona fide heroine and Denver welcomed her as such.

And then her dearest dream came true. The iron barriers of Denver society were lowered to admit Maggie Brown at the age of 45. Mrs. Crawford Hill, leader of the Sacred Thirty-Six, invited the heroine of the *Titanic* to a luncheon. So after twenty years of "blood, sweat and tears" and futile battering at the portals of Denver mansions, Maggie Brown arrived.

The irrepressible and unsinkable Mrs. Brown lived for twenty adventure packed years after she escaped death on the *Titanic*. She continued to spend money with reckless abandon and to the end of her life was an entertaining spinner of tall tales about her life. She adopted a staff as a part of her apparel. By day she jauntily swung a swagger stick, by night she carried a shepherd's crook quite often adorned with fresh flowers to match her costumes. Havana, London, Paris, New York, Palm Beach all knew the majestic and unsinkable Mrs. Brown. In France she studied dramatic technique under a former instructor of the famous Sarah Bernhardt and put on "L'Aiglon" in France with herself as the star.

Jim Brown passed on in 1922 and Maggie was involved in a legal tangle with her son and daughter over his estate. As a result of her wild spending Maggie's fortune began to dissipate in the late twenties. But even though she was fast approaching poverty she was no less generous. A few weeks before her death Maggie visited Leadville and decided to play Santa Claus to the poor children of the town. After her return to New York she sent back warm clothing and ordered a large Christmas tree set up at her expense in Leadville.

But Maggie's life came to an end before Christmas and the tree never went up. Jim Brown's nephew, Ted Brown, saw that the needy children received her gifts.

It was on October 25, 1932, in the Barbizon Club hotel when she was sixty five, that Maggie's great heart, which was in truth as big as a ham, ceased its beat. Thus from the grandeur of the West passed one of its most colorful, and lovable figures. ●

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INNOCENT AND HANGED

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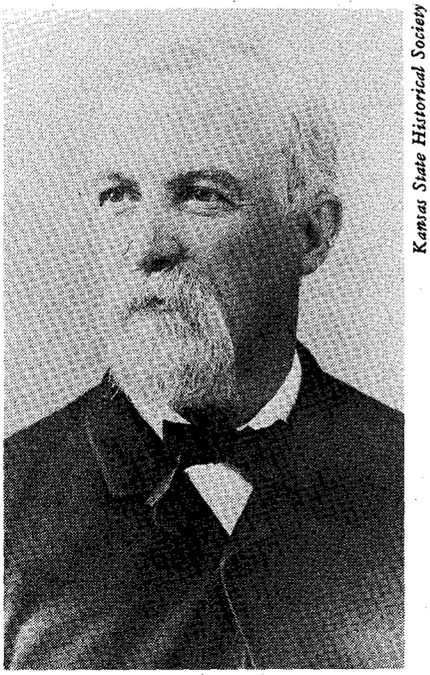
Vigilante group hanging two horse thieves.



Kansas State Historical Society

Kansas Governor Thomas Osborn.

It will never be known how many men died by the savage lynch law

THE CONDEMNED MAN struggled, twisting away from the blindfold.

"I'm innocent I tell you," he screamed. "You're hanging an innocent man!"

"You're as guilty as hell," snapped a big rancher. "Tie his hands!"

Young John Callaham slumped in terrified resignation. He was forcibly blindfolded, hands tied behind his back and the noose slipped over his head. His lips moved in silent prayer. Facing him was the man he knew only as "Cole," who was also blindfolded and tied. Cole had ridden into Callaham's camp the day before, driving a magnificent span of horses. He said he was going to sell the animals in Dodge City, fifteen miles distant.

Now the two bound men stood silently on the wagon-bed within the circle of grim-faced vigilantes. Pulling a bottle from one pocket and a Testament from the other, the leader said with a guffaw:

"Here, boys, is peace for the dead and consolation for the living."

He took a long drink of whisky, then began reading from the Bible as the bottle passed from mouth to mouth.

"Oh, God, have mercy," murmured Callaham. "You know I ain't no horse thief."

The bottle was finished and thrown into the brush.

"You won't never steal another horse anyway," laughed the big man. Then he nodded a signal. A whip snapped. The team of horses leaped forward dragging the wagon from beneath the condemned men's feet. Their bodies twisted grotesquely for some minutes. Then they were still. They were cut down and buried in a shallow trench. Suddenly, the vigilantes were quiet and sober.

"He looked like a nice kid," one muttered. "Mebbe he wasn't guilty after all."

"He had the horses didn't he?" snapped another. "Let's see what else he's stolen." And the men rifled through Callaham's meager effects, taking $40 in cash, a needle gun and other belongings.

"I need a drink," said one man. And so the band of avengers rode for the saloons of Dodge.

It will never be known how many innocent men died by the savage lynch law. But there were many. Half drunk men with sadistic mob courage acting in vigilante groups often meted out summary death sentences which were careless and merciless. The merest shred of circumstantial evidence was usually enough to condemn a man to death. Afterward, the innocence or guilt of victims was seldom bothered with one way or the other.

The hanging of John Callaham was an exception. Thanks to a stubborn investigation waged by his father, it was proven beyond a doubt that John died merely because he happened to be in the wrong place at the wrong time. He was an innocent victim of lynch law.

John Callaham was a big, good-natured country boy, honest and God-fearing. *Continued*

by Fred Harrison

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Continued

He was 27 years old, the eldest son of R. C. Callaham who lived in Topeka. The family, which included seven sons, was sometimes hard-put to make ends meet. But they were well liked and respected throughout the community.

John, in an effort to help out financially, had come to Fort Dodge in 1873. For some time he had been working for the Owens family gathering buffalo bones in the vicinity of Saw Log Creek. Mr. and Mrs. Owens liked John and trusted him. When he didn't report for two days they journeyed the fifteen miles to his camp—and found the shallow graves.

Mrs. Owens immediately wrote to the Calahams. The news that their oldest son was dead by vigilante justice shocked and stunned the close-knit family. The letter stated that the horses John was accused of stealing were taken from the vicinity of Wellington, Kansas, over one hundred miles from Dodge. Mrs. Owens added bitterly that John had never left the area for any length of time. He was working at their place only 48 hours before he had been hung. It appeared the boy could not have been guilty.

The elder Callaham, grief-stricken and outraged, swore to bring the murderers to justice. His first step was an appointment to see the governor of Kansas, Thomas A. Osborn. The governor listened sympathetically. He promised to do everything in his power to punish the murderers, if they were apprehended and identified.

"I'll get them, Governor," Callaham swore. "All I want from you is authorization to hunt them down."

"You'll get it," promised the governor.

Callaham journeyed to Dodge. He carried a letter from the governor to Charles E. Bassett, sheriff of Ford County. It said:

"This will be handed to you by Mr. R. C. Callaham whose son, John F. Callaham, was executed by mob violence in your county on the 8th of April, 1876. He visits Ford County for the purpose of making a thorough investigation of all the facts and circumstances attending the death of his son. He claims that there is no doubt of his son's innocence, and if this claim is correct the atrocity of the crime — an utterly law-defying one at best — certainly demands the attention of all law abiding people, and more especially of the officers to whom are entrusted the execution of the law and the preservation of the public peace.

"I trust that you will extend to Mr. Callaham all the assistance, counsel and encouragement which it may be in your power to extend," continued the governor. "There must be an end of mob violence in this state, and local officers exercising vigilance and energy in its suppression and punishment may rely upon me for support and assistance. Let me know in what manner I can be of service in bringing to justice the perpetrators of this recent outrage, and I shall not be slow in responding to any practical suggestion. In the meantime I trust that you will do everything in your power to facilitate the inquiry which Mr. Callaham proposes to institute."

Shortly after Callaham's arrival in Dodge, the sheriff replied to the governor's letter:

"I gave Mr. Callaham all the encouragement I could," he wrote. "From what little information I gave him, and his own assertions, he has ascertained the fact that his son was at Dodge City two days before the hanging.

"It appears from the statements made by the Wellington papers that the horses were stolen there and that the posse in pursuit followed the thieves a roundabout distance of more than 300 miles. The theory is, that if the deceased was here when witnesses say he was, it would have been physically impossible for him to have stolen the horses. Several citizens of good standing are willing to testify that they spoke with him in Dodge City two days before he was hung. If he was one of the thieves, the time given him to travel 100 miles to Wellington and the 300 additional miles was two days. I do not hesitate to say that this feat *could not* be performed by any *one horse or horseman.*"

The sheriff added emphatically: "The man was innocent of the crime alleged, and for which he has suffered death."

He advised that, "I hardly think it safe to entrust my business to the Sumner County Sheriff as I think that possibly he might convey the intelligence to the members of the vigilante band and thereby give the offenders an opportunity to escape."

Callaham and Sheriff Bassett had done their detective work well. The identities of the lynch mob were now known. It was up to the governor to make good his promise of "support and assistance." But the case bogged down. Bassett wrote further that:

"Mrs. Callaham wishes me to go to Sumner County and arrest the parties responsible for the hanging. But without the assistance of the governor I am totally unable to do anything as I am in a poor fix financially to undertake so lengthy a journey." The sheriff pointed out that it would be necessary to take three deputies with him to assist in making the arrests.

"This will be some slight expense to the state," he noted.

And then, for some reason, Governor Osborn seemed to lose interest in the affair. Perhaps members of the lynch mob were influential men, or had powerful friends. At any rate the next letter Sheriff Bassett received was from the governor's secretary, and coldly formal.

"Though the governor is decidedly anxious that the parties who illegally executed young Callaham should be brought to justice, there is no public fund from which the expense of their capture can be defrayed. It is the duty of the local authorities to execute the law, and the governor hopes that the County Board will provide the necessary means," it said tersely.

And so the matter lay, and finally died. After all, life was cheap at Dodge City. As far as is known the murderers of young Callaham were never brought to justice—at least not by man-made law. ●

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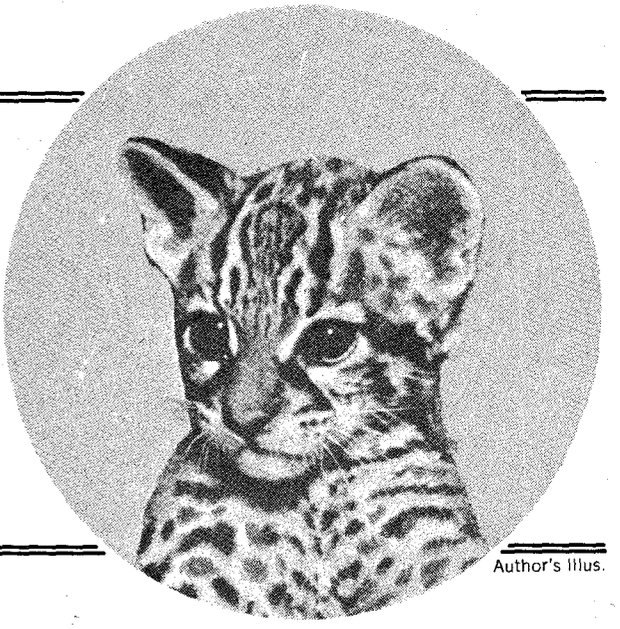


Author's illus.

A most winsome feline!

by Wilfred T. Neill

WHEN ANYONE mentions the wildlife of the West, we think right away of the buffalo, coyote, prairie-dog, Gila monster, sidewinder, and Texas diamondback—animals famed in western legend. Few people know that six different members of the cat family also live in the Southwest; seven in fact, if you count house cats gone wild.

The Indians and the ranchers of the Southwest had the chance to see, hunt, and trap a variety of felines not equaled anywhere else in this country. Two kinds, the cougar and the bobcat, were quite widespread in North America; but four others were tropical animals that ranged out of Mexico into our border states, or a short distance beyond.

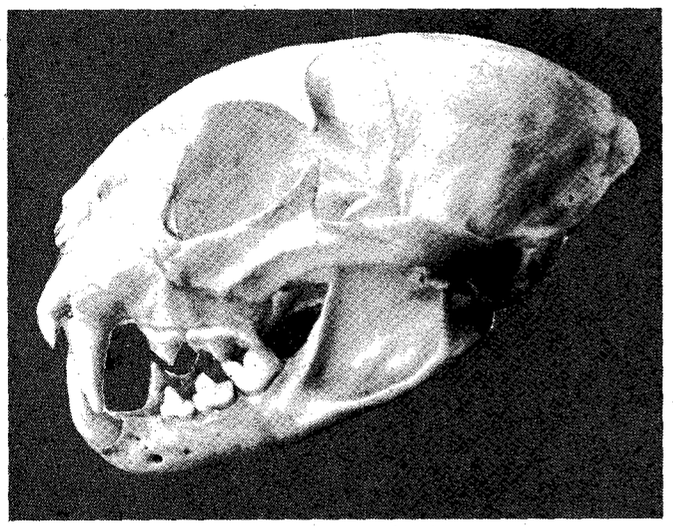
There were the giant jaguar; the little, spotted margay; the long, slinky jaguarondi; and the handsome ocelot.

The Indians were particularly interested in the brightly spotted ocelot. Although today this animal is very rare in the U.S., in the days of the Old West it ranged widely over Texas, as far north as Amarillo. From Texas it followed the Red River valley into Arkansas and Louisiana. It also lived in southwestern Arizona, as far north and west as the Verde River country east of Prescott.

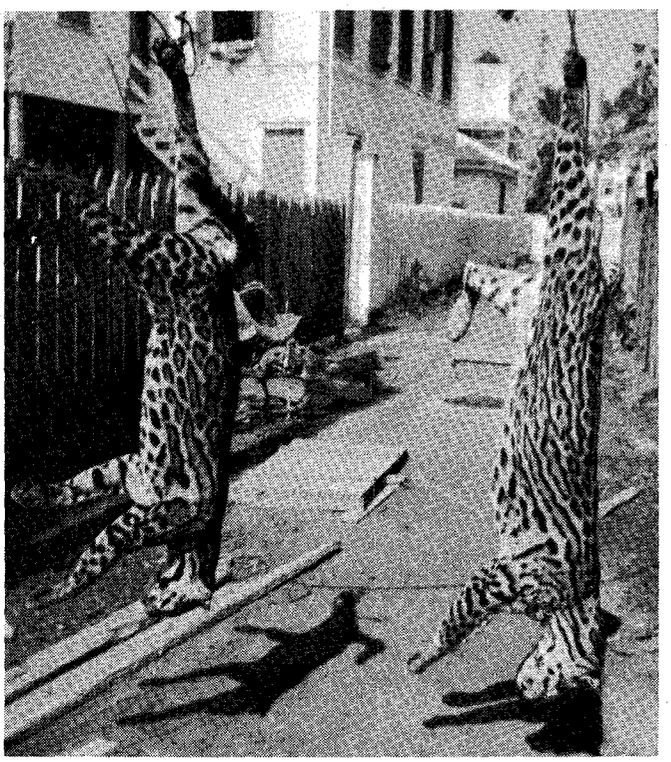
Ocelots were exceptionally numerous along the Red River in Oklahoma and Texas. Here they were hunted by the Caddo Indians, who had worked up a big trade in ocelot skins. The hides were "cased;" that is, skinned out in such a way as to form a pouch. An Indian warrior could keep his arrows in a pouch of this kind; a medicine-man could use it to hold his charms and herbs. Of course the northern and eastern tribes had never seen such an animal, and in exchange for the beautiful hides they would offer corn, flint, clay pots, salt, pearls, or other items of Indian trade.

Some of the Caddo's trade skins were passed up-river to the Witchita, Comanche and Kiowa, but most were passed down-river to the Natchez and thence eastward to the Choctaw and then to the Creek. Around the time of the American Revolution, the Creek Indians of the Southeast had so many of these skins that early explorers mistakenly thought the cat to be a native of Florida and Georgia.

In Mexico, where the animal was very common, the Spaniards bought thousands of ocelot skins, for barter to tribes who did not know the spotted cat. The Spaniards are in fact responsible for our use of the name "ocelot," their version of the Aztec name *ocelotl.*



Ocelot's skull reveals teeth of meat-eater.



Very large ocelots bagged by hunters.

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Continued

Ranchers in Texas call this animal "spotted cat" or "leopard cat." It does look something like a leopard, but it is much smaller. And adult ocelots seldom weigh more than 35 pounds, and a cat of this weight will measure about 35 inches from nose to rump, with another 15 inches of tail. As is usual in the cat family, the male grows larger than the females. Rarely does a female ocelot measure more than 40 inches from nose to tip of tail, but 50-inch males have been bagged in Texas.

The ocelot's color pattern is remarkable. Both the white belly and the tawny back are marked with spots of black and brown, many of the spots running together to form lengthwise stripes. No two ocelots are patterned in the same way. In fact it is often said the the ocelot does not even resemble itself, for the pattern on one side of the animal's body is different from that on the other side!

Not much is known about the habits of the ocelot in the West. It lives usually in areas of thick brush, avoiding both the desert and the open grassland. In the wild it is very hard to see, for its pattern resembles patches of sunlight and shadow.

Another favorite haunt is a rocky canyon with a growth of cedars, for like most cats, the ocelot climbs well, and may spend hours stretched out on a tree limb. It will climb a tree when chased by hunting dogs, and will also spring upon its prey from some overhanging branch.

Like a house cat, the ocelot will leap at passing butterflies and dragonflies; and it will also try to gnaw its way through the bony shell of an armadillo. Once in a while, when very hungry, this animal will raid a hen-house, too.

Like some larger members of the cat family, the ocelot hunts in a great circle that eventually brings it back to the starting point. The animal may take a week or more to make the complete round, and usually it has several favorite dens along the route.

Ocelots have been found to make their dens in limestone caves along the Balcones Escarpment west of San Antonio. In this area the female seeks out a cave when she is ready to give birth. Her litter is small, often no more than two kittens.

The baby ocelot is very attractive. Like the adult it is beautifully patterned; and in addition, its big, wide eyes are a surprising shade of blue.

When disturbed in the nest, the kitten will spit and snarl; but it soon quiets down, and if treated gently it may become very tame. Eventually it can be petted, picked up, or walked on a leash. Of course some captive ocelots become cranky, especially with age, and these generally end up as a donation to a nearby zoo. ●

TERROR OF THE TERRITORIAL OUTLAWS

(Continued from page 37)

Dunn Ranch.

Knowing that the outlaws were not always predictable, the marshals dug in to await their appearance. And wait they did, for two days and nights. On the third night Bitter Creek Newcomb and Charlie Pierce arrived.

Tilghman, Will Dunn and two of the posse-men were hidden in the house. Thomas, Bee Dunn and the third member of the posse were lying in a hole they had dug at the east side of the house.

As the outlaws climbed down from their horses Heck called for them to surrender. They whirled and drew their guns. A flash from a Winchester in the rifle pit showed them where the officers were and they charged the pit firing as they ran, but the officers' fire was deadly and the outlaws didn't make it. The rest of the gang didn't show.

THOMAS learned that Bill Doolin was with his wife and son at his father-in-law's farm at Lawson. (Now called Quay, a town about half-way between Tulsa and Stillwater.) Heck, with a posse of eight men surrounded the house on the night of August 25th, 1896. The night was clear and the moon lit up the area almost as bright as day.

The officers were surprised to find a covered wagon backed up to the door with a team hitched to it and Doolin's saddle horse tied to the front wheel. The posse took cover but did not have long to wait. Doolin came out with his wife and baby and helped them up onto the seat, then took his Winchester from the front of the wagon and slung it across his arm. He untied his horse and walked down the lane ahead of the wagon. Heck stepped out of some tall weeds at the side of the road and called, "Throw up your hands, Doolin!"

But Doolin didn't have anything to lose. Here he might have a chance. At Fort Smith there were no chances. He got off two quick shots with his Winchester before Heck fired both barrels of his eight gauge shotgun loaded with buckshot. And so Bill Doolin died at the age of 38 with 21 bullet holes in his chest.

In April of 1898 Thomas and Tilghman ran down Little Dick West at a ranch a few miles from Guthrie. They gave him a chance to surrender, but he couldn't see giving up without a fight and went for his guns. But he was up against two of the best and died without firing a shot.

This ended the Doolin gang; and the three deputies, Madsen, Tilghman and Thomas became known as the Three Guardsmen for their work in bringing it about.

Later Heck served under United States Marshal Harry Thompson at Anadarko. While on this assignment he became well acquainted with the Kiowa-Comanche Reservation and when the land was opened to settlement August 6th, 1901 he brought his family to Lawton.

Even though he was still a United States deputy marshal, Heck was asked to run for the post of city marshal of Lawton on the first slate of candidates for city offices. Heck won by a majority of 63 votes and became the first city marshal of the new town of Lawton.

After Heck took office the bars and streets tamed down fast and stayed that way. Even the outlaws avoided the town. But Heck didn't believe in arresting a man just because he had too much to drink. W. M. Murphy, who ran a saloon at the time recalled that when a man came in drunk he was made to sit down, and Heck was sent for. He always came and took the man home.

Heck was also appointed as the first fire chief, a position he held as long as he was city marshal.

Although Heck was considered to be a cold-blooded fighting machine with ice water in his veins, he had a human side also. Once, when the members of his police department were gathered in his office there was a tremendous burst of gunfire in the street. The entire force rushed outside expecting big trouble only to find that a large flock of wild geese had landed on the street at sundown. Fearful that someone might get shot in the excitement, he ordered the police to stop the shooting, but not before he had shot a couple of geese to take home

John Lantznester remembers the time the city dog catcher was trying to get a rope on a little dog that belonged to Heck's five-year-old daughter Beth. Each time he succeeded in getting the rope around the dog's neck Beth would grab him and take the rope off. Heck looked out the door and saw what was happening and rushed out of the house with his .45 in his hand. He told the dog catcher he would give him just one minute to get the rope off the dog and to get off the place. The man had half a minute to spare.

Once, while Heck was still a deputy marshal he led a posse to arrest Aaron Purdy who operated a wildcat whisky still on Snake Creek, south of Red Fork. Purdy hit Heck with two slugs from his Winchester, knocking him out of the saddle. Evidently thinking Heck was alone, Purdy and his men rushed from hiding with the intention of making sure Heck was dead. A burst of gunfire from the posse felled Purdy. One of Heck's men wanted to kill Purdy right then and there, but Heck wouldn't let him. To give the man time to cool off, Heck sent him to the creek to fill his canteen. When he returned, Purdy looked so longingly at the canteen that Heck let him have the first drink.

Numerous bullet wounds and harsh years of trailing criminals in all kinds of weather had begun to take their toll on the once iron frame. When he over-exerted himself running to a fire while still fire marshal at Lawton, Heck's heart gave out. He remained in critical condition in an Oklahoma City hospital for a long time.

At the next primary election in 1907 Heck was defeated for the post of city marshal. In 1910 United States Marshal Abernathy appointed Heck a deputy for the Western District of Oklahoma with headquarters in Lawton.

Heck's health continued to deteriorate and finally his duties were limited to serving papers from a buggy. He always took his daughter, Beth, along on out-of-town trips with instructions to drive home if anything happened to him.

Heck's condition worsened suddenly. He walked unsteadily then couldn't walk at all. He died August 15th, 1912, and was buried in Highland Cemetery, Lawton. Nearly all persons in town showed their respect by attending the funeral.

That Heck Thomas was held in high esteem by the law abiding citizen was attested by the tribute paid him by a Pauls Valley minister who said he had done more to Christianize the Chicasaw and Choctaw Nations than all the ministers who had been sent there. ●

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BEARDED PROPHET

(Continued from page 29)

anything more outrageous, blasphemous and preposterous than the claims of this seemingly-obvious faker. Nevertheless, within an incredibly short time, he had a considerable number of parishioners attending his church, all of them, of course, women.

The services he conducted in a secret, out-of-the-way house consisted largely of exploitations of himself as the chosen of the Deity, and warnings to his audience of the grim fate which would overtake them if they didn't "hearken to his words" and give obedience to his fiats.

He would mount the pulpit, gaze over the assembled women of all ages, point his finger accusingly, and shout:

"Vile clothes, begone!"

He did not object to a disciple clothing herself with a wrapper after she had removed her other garments; in fact, he furnished wrappers for this purpose. How many availed themselves of this dubious privilege is not known.

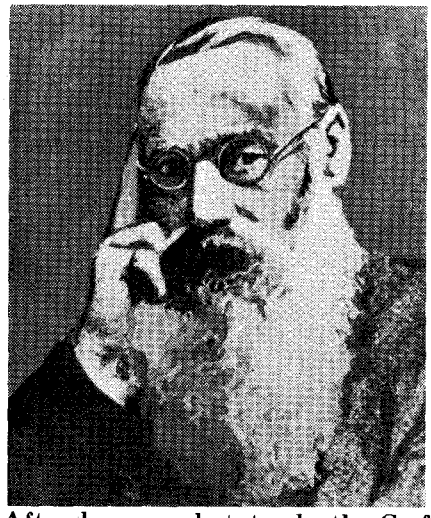
For a full year he held these secret meetings. His congregation grew in numbers. And they were not all, by any means, homely, lonesome or sex-starved women. Many were well-educated and seemingly intelligent women. They were brought under an oath of secrecy by others who believed completely in the self-styled prophet and messiah. Some who came out of sheer curiosity were overcome by the self-assurance, the good looks and the smoldering eyes of "Joshua," and became numbered among his most ardent disciples.

But as the members of the cult increased, it became more and more difficult to maintain secrecy. Those few who saw through the pretenses of the "prophet," whispered the story to one or two others "in strict confidence." Husbands whose wives were deeply involved with the "immortal Joshua" could not help noticing their increasing coldness. They demanded explanations. The very evasiveness of their spouses convinced them something was amiss. One man began to check with another, piecing together the various threads until the dim outlines of the whole shoddy picture began to emerge into a hideous fabric.

Even then the men could scarcely comprehend it. It just didn't seem possible that anything of that kind could have been going on in their midst for long. All of them knew "Joshua the Prophet" by sight. Many, in fact, despite his ridiculous pretensions, had come to like him. He was genial and affable with those of his own sex, took with dignified equanimity the gentle joshing of his messianic role which some of them ventured, and generally played the role of a good scout. When some, bolder than the rest, asked him what he lived on, he invariably replied, "The Lord takes care of that."

Deciding to make certain of their facts before acting against a man whom they all rather liked, a group of local householders designated as investigator a man who had a reputation for shrewdness, tact and persuasiveness.

This man, Merrill Edgecombe, was shrewd enough to realize he couldn't get to first base without the aid of a woman. Women at that time—1904—were far more reticent concerning their romantic affairs than they are today. Nothing, Edgecombe knew, would induce them to confide in a man. But it might be possible for a clever woman to worm the facts out of at least some of them.



After he was shot to death, Creffield's wife calmly predicted, "Within three days he will arise and walk."

He found such a one in Marilyn Brossman, a popular young married woman, active in civic and social affairs of Corvallis. It took a considerable amount of urging from Edgecombe to induce her to undertake the disagreeable task. But on the plea that she would be helping the community, she finally consented, with the understanding that no one should ever know that she was the informant.

Her work was far more successful than either she, Edgecombe, or any of the others of the interested group had anticipated.

She made it a point to stop and talk with "Joshua" the next time she saw him on the street.

But Joshua was no fool. He realized the risk he was running. No new "convert" was ever accepted into his cult until she had been vouched for by someone already a member.

Mrs. Brossman got the idea immediately. By a little zealous snooping she learned the names of several of the cult members. She knew all of them intimately, and was stunned that they had allowed themselves to be deceived by such a faker.

But she was even more astonished when, upon "confessing" to one of these women that she was enamored of "Joshua," her confidante admitted that she was also in love with him, and that there were at least a dozen other women in the same boat. Gradually Mrs. Brossman worked out of her the names of the other members of Creffield's exclusive "women's club." In this way she finally received an invitation to join.

The goings-on there amazed and disgusted her. They convinced her that the "anointed one" was playing the field and was using his domination over his flock to indulge in shocking intimacies with practically all of them. She also found that, although, as the "prophet" contended, "the Lord provided" for his living, he did so through intermediaries—the intermediaries being the duped women who were giving him money and food as well as other favors.

When Mrs. Brossman made her report, the self-appointed committee couldn't credit it. It was not until she had furnished evidence sufficiently convincing to convert the most skeptical that they finally realized that for months their little city had been harboring a human octopus who had been drawing into his slimy tentacles every woman he could reach.

THE storm broke in just a little over a year after the one-time Salvation Army recruit had emerged from the woods in all the glory of his long beard, flowing moustache and upswept mane. A group of vigilantes quietly formed. They surrounded the secret meeting place—perhaps trysting place would be more appropriate—while a service was in progress.

There was a scene of frenzied disorder as several crashed the doors. Wrappered women, and some without even that protection, dropped to the floor to hide under the benches, or scurried to the sides to cower against the walls with their faces hidden. Still others, divining the intention of the angry-looking intruders, formed a ring around their leader and scratched and kicked those who would molest him. Creffield himself, all his bravado and self-confidence gone, protested the purity of his motives, and assured the infuriated intruders that he would leave town immediately if they would only leave him alone.

Their answer was to seize him and hustle him, cowering and whimpering, to the center of town. There, as a fitting retribution for his "Vile clothes, begone!" he was stripped of his own clothing and dressed in garments such as he had never before worn, a coat of tar and feathers.

The procession which hastened his exit from town had passed the home of Mrs. Vivian Conwell, a widow, and her daughter Mildred. Neither one was a member of his cult. But they were touched with pity for him. After the mob had returned they went into the woods, found him and took him back to their home. There they removed the tar and feathers, put him to bed and nursed him for several days until he had recovered some of his aplomb and assurance.

"Joshua" had known of the Conwells. They were members of one of the pioneer families of the Northwest, and were highly respected. Whether this fact entered into the dispossessed Creffield's calculations is not known. Nor is it known just why he wanted to remain in Corvallis after the punishment which had been visited on him. Possibly it was a rebellious impulse to show the citizens that he was too smart for them. He may have felt that, if he became a member of the highly-regarded Conwell family, they would not dare to touch him. In any event he soon began making love to the comely daughter, Mildred, and, within a month, married her.

Mildred, a woman with plenty of character, let everyone know that, now that Creffield had married and had forsaken what she termed "the wildness of his youth," she expected him to be treated exactly like any other man whom she might have married. The townspeople liked her for her attitude and, while they were not as friendly with her husband as they had been before he was exposed, at least did not attempt to persecute him.

The new member of the Conwell family, however, did not abandon his claim of being Joshua. But he asserted that, since he had found the bride for whom he had been looking, there was no further reason to continue the search.

Just how his wife regarded these pretentions is not known. But the happiness which she anticipated was shattered just a few months later, following a trip which her groom made to Portland, Oregon. Here he met a member of his cult who formerly had lived in Corvallis, but who had moved following the scandal of the exposure. The woman's angry husband went to a local magistrate and demanded and received a warrant for adultery. But Joshua heard of it and left the city just a

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few steps ahead of the police.

He hurried back to Corvallis. There his disillusioned bride of a few months, who had read of his escapade in the papers, bitterly informed him that she was filing suit for divorce. But she and her mother again took pity on the now contrite and groveling man whom they had taken into their family and hid him in the house when the officers came after him. For three months they kept him hidden in their home until Mildred obtained her divorce. Then they informed him that they were through with him, and insisted that he leave.

He had scarcely emerged from his hiding place when the police seized him and hustled him back to Portland for trial on the adultery charge.

A cynical jury listened to his claims of being Joshua the Prophet. He insisted they could not convict a man who was the chosen of God. But this prophesy went awry. They brought in a verdict of guilty and the judge sentenced him to fifteen months in prison.

IF confinement worked any change in Creffield, it was to crystallize his determination to continue his lascivious way of life, and to live by the sweat of other people's brows. Never were his dominating qualities more clearly shown than after his release.

He not only reiterated all his claims to divine origin, but he returned to Corvallis and actually persuaded Mildred to give him another chance. So persuasive was he, and so apparently sincere concerning his intention to "never look at another woman" that she remarried him. And not only that. He induced two of her relatives to buy him a parcel of wild land bordering the ocean.

In spite of his promises to Mildred, he promptly announced that out of this wild country just purchased for him he would create a Garden of Eden. All who wished to share in it should come. And, incidentally, be sure to bring all their worldly possessions.

The response was astounding. Several of his former followers in Corvallis, as well as women from other places in Washington and Oregon, immediately accepted his invitation, many of them trekking through the mountains and wild country surrounding the new Garden of Eden.

In one of these arrivals was encompassed the fatal destiny which was soon to be the phoney prophet's. A beautiful young girl, Esther Mitchell, a religious fanatic who had heard of Joshua, and who believed every word he uttered, came to Eden.

Under his direction the residents of the Garden built wigwams. In these they lived, cooking over fires built in the open. They suffered from cold and privation, but bore up when assured by the adored leader that this ennobled them in the eyes of the Lord and would react to their great advantage on Judgment Day.

They even believed his claims that he would never die. And, curiously enough, this claim was strengthened by an occurrence which took place on a Yaquina Bay ferryboat on which the prophet and several of his wrappered devotees were riding. As the boat approached the wharf, the father of one of the women in the new Garden of Eden fired at Creffield with a shotgun. The gun clicked harmlessly. Several times the father pulled the trigger, with the same result.

Amid loud hosannas, "Joshua's" followers on the boat chanted that he would never die, and that only evil would overtake the wicked ones who tried to slay him. But the infuriated father found a different reason for the prophet's miraculous escape: the dealer had sold him rimfire cartridges for a center-fire gun!

Creffield's wife Mildred had not followed him to the new Eden. But the fact that he was married to her made no difference to the bewhiskered Don Juan. He promptly contracted a bigamous marriage with the beautiful, 17-year-old Esther Mitchell.

Her brother, George, then 21, tried frantically to prevent the marriage, and to wean his sister away from the man with whom she had become so infatuated. But nothing he could say or do swayed her. She went into the marriage in complete innocence, having read of Creffield's divorce, but not having knowledge of his remarriage.

Mitchell, frenzied at the black future in store for his sister, decided on more direct action. He waited until the man he hated came with his sister to Seattle, where they were to remain for several days. He saw them on First Avenue. Without their being aware of his presence, he walked softly up behind them, placed a revolver within a few inches of Creffield's head and brought his finger down on the bit of curved metal just beneath the cylinder.

Death, released from its prison in the tiny metal cartridge, flashed from the barrel and dug into "Joshua's" brain. He dropped to the sidewalk, a lifeless mass of flesh.

A patrolman nearby heard the shot. He raced to the scene, to face a beautiful young woman. She was calm and unperturbed. Pointing to the bleeding figure on the pavement, she smiled a greeting to the officer.

"It's my husband, Joshua the Prophet. Within three days he will arise and walk,"

But Joshua neither arose nor walked. Mitchell was indicted and tried for first degree murder. But his attorney managed to get into the record the type of man Creffield had been. The jury thereupon acquitted him.

But the curtain had not yet been rung down on the gruesome drama which had turned into a tragedy. There was still more to come. Esther, who had attended the trial and was now seemingly cured of her passion for the slain man, accompanied her brother to the railway station where he was to take a train for home, following his acquittal.

A few blocks from the courthouse, she stepped back a pace, grasped a pearl-handled gun which she had concealed in her sleeve and sent a bullet into her brother's brain.

The girl showed no remorse whatsoever, no feeling of any kind. She told the officers that her brother had killed "God"—as she honestly believed "Joshua" to be—and that she had therefore slain him exactly as he had slain "God."

She never went to trial. A jury of alienists, appointed by the court, certified that her mind was unsound because of religious fanaticism. She was committed to the Washington State Insane Asylum. Released as cured about three years later, she was out of the asylum but a short time when she died.

Thus the drama finally ended—a drama of love, seduction, adultery, religious mania, insanity and murder which would seem ridiculous if placed on the stage or screen, but which had a dreadful reality when played out on life's stage. ●

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DENVER AND THE MOUNTAINS OF GOLD

(Continued from page 11)

Army officer so that, with what little they already had, they managed to buy enough supplies to last the group through the winter at the camp on the Platte.

After Levi Russell, McPhadden and the others had gone for provisions, the remaining members of the group set to work building winter quarters. They built a cabin near the Platte, about 100 yards south of the mouth of Cherry Creek, with other prospectors building nearby, making a long row of log cabins afterward called "Indian Row".

McPhadden's party had already built a cabin a short distance away on what is now Ferry Street in Denver.

The divide between the Platte and the Arkansas was now covered with snow, and about ten inches of snow fell on October 31 at the mouth of Platte Canyon. By the end of October, several parties were camped at the mouth of Cherry Creek, while three miles farther up the Platte were the "Mexican Diggings", which were gold claims worked by Mexicans at a point which is now at West Virginia Avenue in Denver, six blocks south of Alameda Avenue.

New parties arrived continuously from the Missouri River towns. The sack of dirt Cantrell had taken to Kansas City had caused such excitement that men were streaming in from St. Louis, Leavenworth, and all points along the Missouri River.

Ever since Cantrell had reached Kansas City, newspapers all along the Missouri were heralding to the world that great amounts of gold had been found near Pike's Peak, starting a premature stampede.

Actually, at this time nothing worthy of the excitement had been found; only a few little deposits along the Platte, the light gold float on Cherry Creek, and a little gold on Ralston and Clear Creeks.

Since it was getting too late for the new arrivals to do much prospecting, the chief occupation during the winter months became sitting around fires spinning tall yarns and speculating, and writing home about fortunes dug from their minds instead of from the ground.

By this time the big operation was town-site speculation. Everyone kept busy building towns to sell when spring brought the arrival of new hoards from the States.

The first of these towns was Auraria. By November 4 the town plot had been surveyed on the west side of Cherry Creek near its junction with the Platte. There were 100 shareholders for the 1,280 acres in the town. Each shareholder had 26 lots of 68 feet front, and a solid block in the bottom on low land not surveyed into lots. The survey was made by William Fostened and the town was christened Auraria by Levi Russell, whose party had come from a town of that name in Lumpkin County, Georgia. In that Auraria, also, gold was mined.

Time was flying in Auraria. Big log houses were built, awaiting men in the spring. A.J. Williams and Charles Blake constructed the Denver Hotel, a large building of cottonwood logs, dirt floor, and a canvas roof. Dick Wooten had a saloon of logs built, and the upper story rented to Editor and Publisher William N. Byers as the Rocky Mountain News office, the first newspaper in the Rocky Mountain country.

Levi, St. James & Company was selling goods on the bank of Cherry Creek, on Larimer Street, while John Ming was selling them near the foot of Ferry Street. Yes, Auraria was booming now. Mail came in once a month from Fort Laramie, carried by Big Phil, an old mountain man.

Early in the winter the town of St. Charles was laid out on the east side of Cherry Creek, opposite Auraria, by a party from Lawrence, Missouri, most of whom later returned home. They left the town of St. Charles in the hands of a man who sold out to the Denver Town Company, named after James William Denver, the governor of Kansas Territory of the time.

Shortly thereafter a full board of county officers, duly appointed by Governor Denver, arrived from Kansas. They had authority to organize the county and call it Arapahoe after the neighboring Indian tribes.

These officials, being old-time town speculators, would not recognize the newly-formed town of Auraria. Instead, they went to work and laid out a town of their own, calling it Denver City after the Governor.

Their 1,280 acres was, in fact, a beautiful site of table land which was really a better location than that chosen for Auraria.

In late winter there were 20 towns in the county as large in area as New York City, minus the wealth, population and buildings. The ground was there to build on though there was nothing to build with. When late February rolled around, the main occupation had become hunting and prospecting, though nothing was discovered to justify all the town business.

The question was, what or who was going to support it all? There were no mines that would pay wages to the thousands of men waiting back on the Missouri for the ice to give way so they could come to the "Great Bonanza at Pike's Peak", as the Eastern newspapers called it.

Very early in the Spring of 1859 the citizens of Auraria began to scatter out in a search for gold. After thoroughly prospecting all the streams in the region

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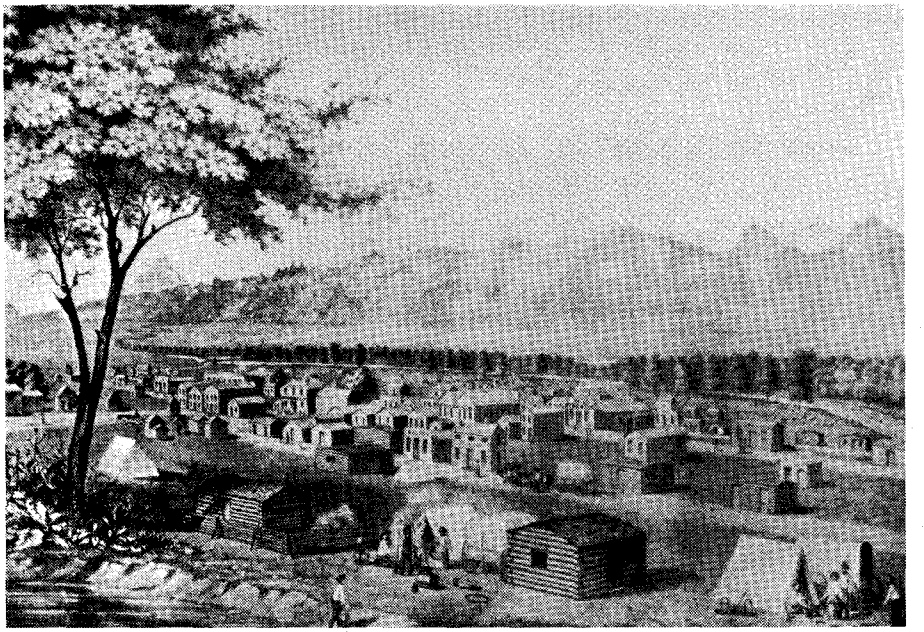


Auraria and Pikes Peak, note Indian Row.

they decided that Clear Creek (Vasquez Fork of the South Platte) was the richest.

Diggings were started on that stream 3 or 4 miles east of the gap between the North and South Table Mountains, and there soon sprang up a town called Arapahoe. At one time this town must have consisted of 50 houses, but by 1867 not one remained to mark its site.

A little higher up on the stream, just where it flows out from the foothills, another town was begun called Golden City, named after Tom Golden, its founder.

Golden City reached its peak of prosperity during the years 1859-1867. Diggings were also worked on Ralston Creek, where it was found that the gold always occurred in scales, like flattened shot, indicating that the gold must have come from farther up the creeks.

Other places gold had been found in the mountains. About the end of January, 1859, B.F. Langley discovered some rich placers on bars in a gulch on South Boulder Creek, which was full of fallen timbers, so the find was called "Deadwood Diggings."

All the gold mined thus far had been found in streams and gravel. It was well along into spring when John Franklin Gregory came along and discovered the now famous Gregory Lode near Mountain City.

Gregory had left his home in Gordon County, Georgia in 1857 and in 1858 drove a Government wagon from Leavenworth to Fort Laramie, which stood at the junction of the Big Laramie and the North Platte. Here he remained for several months.

Meantime, he heard that gold had been discovered on the South Platte so he started alone on a prospecting tour southward along the base of the mountain. He found nothing of value and spent the winter living on venison until he reached the camp at Auraria and started prospecting the Vasquez Fork of the South Platte. He pushed along Clear Creek to the main forks, 14 miles above Golden, then up the north branch 7 miles to the gulch that today bears his name.

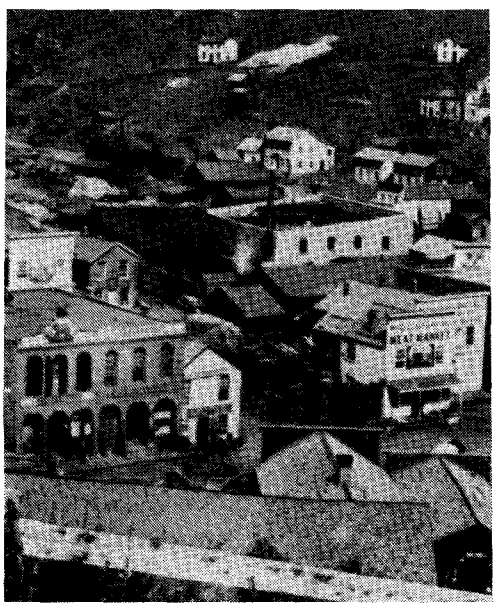
There he found promising indications, but he was prevented from further work by a heavy snowstorm. He thereupon returned to the valley for provisions and persuaded Wilkes Defrees to return with him to the mountains for some intensive gold prospecting. The two reached Gregory Gulch after a tedious journey of three days and on May 6, 1859 discovered what was soon afterward known as Gregory No. 5.

Soon thereafter, Green Russell found Russell's Gulch, which for some time was to be the richest town in Colorado.

In July, prospectors found their way into the South Park, and by August extravagant stories of the richness of the newly discovered ore caused a stampede from the Gregory workings in both directions. The towns of Montgomery, Buckskin (Laurette), Misquetoe, Fairplay, Tarryall, Hamilton, and Jefferson sprang into being.

On the Smokey Hill Route a short time later the Holliday Stage Coach Line was established, and made regular trips for the rest of the year.

Denver City flourished and at once became the metropolis of the Rocky Mountains—as it has been ever since. ●



Two-story buildings, made of bricks and granite, replaced the wooden shacks as the town grew.

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THE WEST'S STRANGEST RAILROAD

(Continued from page 33)

the Wells Fargo strongbox. He pushed it aside, felt his legs, and stood up. He was all right. He could walk. He had lived through the fall. But not everyone had. All around him was chaos. As he ran clear of the swaying timbers he noticed the awful silence that followed the terrible sound of cracking wood.

He saw the two Indians who had been aboard scramble from under the train and start out on a dead run down the river bar. No one ever knew who those men were or why they had run. Some speculated that they were afraid they would have been blamed for the accident.

Lou began the desperate work of pulling the injured and dying from the debris. The brakeman, Sandy Cameron, he laid on the river bar, dead. Pretty Annie Holland was at the top of a pile of a dozen people who had been thrown together from the front car. She was in a coma, her skull crushed. He put her gently on the ground and went back for more. A few more minutes passed. She roused a moment, murmured, "Where's Papa?" and died.

One woman lay motionless, a timber across her throat. Lou gathered his strength. With superhuman effort he moved the beam, and she began to breathe.

Henry Burke, the fireman, was pinned in the engine. Lou helped him out, only slightly hurt. Together they went about the work of pulling other victims from the debris. Suddenly the engine's boiler exploded, spewing water and steam over the trapped engineer, Henry's brother.

The accident had occurred near Vance's mill. The roar of the plummeting train had been heard there. It wasn't long before Lou had help with his heartbreaking task. Anxious men hurried down the riverbank to lift debris from those still trapped. There was a telephone at the mill, where the sad news of the disaster was relayed to Arcata.

Immediately a train of an engine and two box cars was made up, the three doctors in town were recruited, and friends and relatives were on their way to bring in the victims.

Of the 33 passengers, only three men had escaped injury. No one ever knew what happened to those two Mad River Indians.

When the cars were brought into Arcata, the horror that met the eyes of the waiting citizens was beyond belief. David Wood had sustained a broken rib and gruesomely torn scalp; his wife had suffered injuries from which it would take years to recover; his two little children, a baby daughter and a beautiful three-year-old girl, had such severe internal injuries that they died the next day. The Gregories, a young Italian man and his wife, were another family that experienced major tragedy. Mr. Gregori and the two little boys were badly injured, and the wife and mother, 21-year-old Santi Gregori, was killed.

The Arcata & Mad River Railroad, still serving the redwood industry of northern California today, travels along the same right of way the "Annie and Mary" has used for practically a century.

The two Korbel nieces, Annie and Mary, were among the injured. The Korbel brothers themselves felt the sting of this great tragedy.

Indignation over the accident exploded immediately. Rumors flew wildly through the community. Law enforcement officials wasted no time getting to the bottom of the awful event.

The following Monday a jury was empanelled for the inquest of Annie Holland. They listened to testimony and, with a photographer, they traveled to the site of the accident to view the damage to the train. It did not take long to find out what had happened.

The fireman testified that the train was going at only a moderate rate of speed when it entered the bridge with the steam shut off. He had time only to shout, "My God, we're gone," before the train shot through the span. He was very certain that the engine had not jumped the track before the fall.

The officials of the railroad swore that the bridge had been inspected on a regular basis. In fact, only two weeks before, the bridge had been examined by boring holes into the abutments. The wood had been found solid. The inspectors had not felt it necessary to examine the needle beams or other timbers of the bridge because the paint had been in prime condition. They explained they believed that when timber began to rot, it discolored the paint.

When the evidence was in, it was apparent that it was the needle beams that were the culprits. These beams were 12x14 timbers placed at 18-foot intervals along the span of the bridge. They were suspended from the bridge by iron rods passing through the timber and secured on the underside by a plate and nut. Upon the needle beams the stringers were placed, which in turn held the railroad ties.

The needle beams were rotted clear through! You could pluck a piece of wood between your fingers and crush it into dust. These beams, guaranteed for ten years, had disintegrated in eight.

The findings of that inquest could do little to comfort the families who had lost loved ones in the crash. But for the living damages could be had. For the next few years the courts were busy with the suits of the injured.

Henry Burke, the fireman, received $2,000 for his injuries. While David Wood sued for $90,000 for the injuries to himself and wife and the loss of his two children, in the end he received less than $20,000.

An accident of this magnitude should have spelled the end of the life of the Arcata and Mad River Railroad. It was such an important part of the community life by this time, however, that within a month of the disaster the Mad River bridge was rebuilt and passengers and freight were once more being transported up the valley.

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Picnics were an important part of life in those days, and it was often the duty of the "Annie and Mary" to haul the happy throngs to a sunny spot in the redwoods for a day of fun. Loose benches were placed on flat cars for the use of the public, a harrowing experience that many can testify to. One picnicker tells of the time he took this trip when the train was not equipped with brakes. To come to a stop the reverse lever was used. As they started down the grade the train gathered more speed than usual. With loose seats and no railing, the passengers hit the floor and huddled there until the cars rolled to a stop on the flat below. Says this shaken gentleman: "Reminds me of the early stage driver thrills where the driver answered a protest from his passengers when he was driving too fast down steep grades, 'Dead men tell no tales.'"

It was not an accident, but the advent of the automobile and the disaster of the depression that nearly spelled doom for the railroad. All during the early part of this century the railroad fulfilled a definite transportation need for the little communities in the redwoods. But by 1931 only the school children who found it necessary to commute to high school in Arcata were passengers on the train. So passenger service had to be halted, and the children were forced to find board and room in town in order to pursue their education.

For a while during the depression it seemed that the train was bound to give up. As the economy of the lumber industry worsened, the mills, including the big Korbel mill, shut down, and the little villages along the track became near ghost towns.

One by one the engines which had pulled the loaded cars were stored away in the engine house at Korbel. One engine was kept active as a boiler to supply the fire pumps at Korbel. Another engine was used to run a "train" of an oil car to Korbel to keep the other engine supplied with oil. The little stations along the tracks began to fall into disrepair, and out in the bay the giant wharf began to rot away. Today only a dedicated old-timer would recognize the few timbers that still stand as being a part of that once magnificent wharf.

World War II revived the redwood lumber industry. Consequently, the Arcata and Mad River Railroad once again jumped into life. Diesels began to replace the old steam engines, and as more mills began to line the tracks of the railroad, business once again boomed.

This last increase in business spelled the end of the narrow gauge track for the "Annie and Mary." The odd 45-1/4 gauge had been first used in 1855 because this was the gauge of the available wheels. Over the years the railroad had kept to that gauge for its own line. It was not until about 1925 that the owners found it necessary to accommodate standard gauge freight cars at the interchange point with Northwestern Pacific. Instead of laying all new track, a third rail was added. With this arrangement, the little engines could pull whatever size car was available. This satisfactory plan continued until the war years, when, regretfully, it was decided that modernization of all equipment necessitated the removal of the third rail and the burning of the narrow gauge cars.

Today the railroad no longer runs all the way to Arcata. Its wings have been clipped. Now the freight cars rumble out of Korbel once a day to serve 13 customers along the seven-mile route through Blue Lake to the interchange with the Northwestern Pacific, called Korblex.

In the last two years the present owners of the railroad, (they also own the old Korbel mill), the Simpson Timber Company, have heeded pleas of old-timers and rail fans. Once a day the diesel engines and freight cars are put aside. Out comes old No. 7, a Shay engine built in 1918, to pull the bright red passenger cars. Once again, Mad River residents hear the wail of a steam whistle as the train chugs down the valley from Blue Lake to Korblex and back again. They still call it the "Annie and Mary," perhaps in honor of the two sisters who survived the disaster at the Mad River. ●

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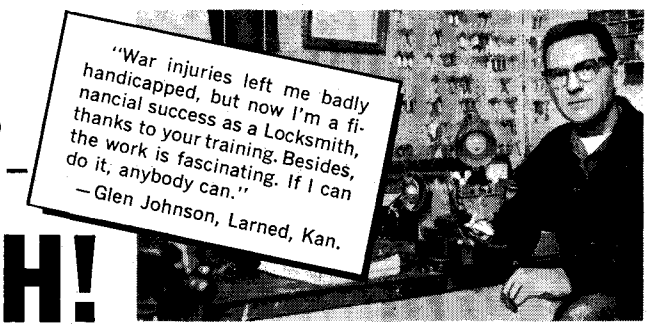

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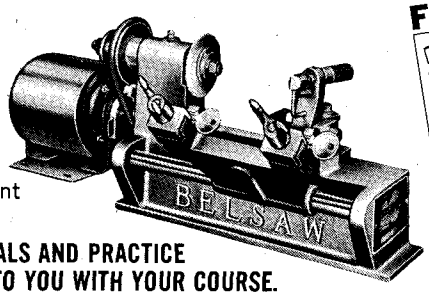

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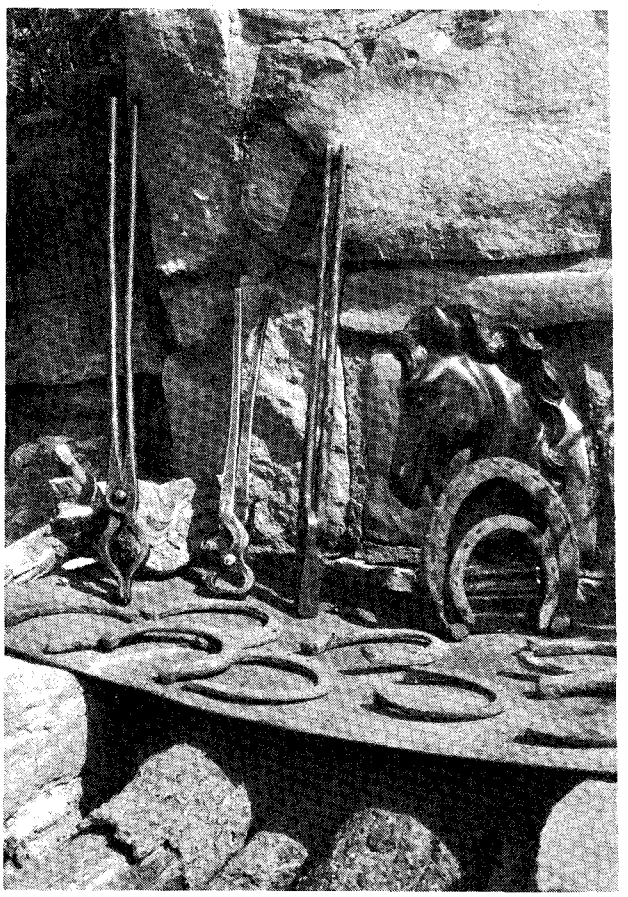
"THE POOR MAN'S CANNON"

(Continued from page 13)

Repeating the process, the distance jumped by the second anvil was measured and tallied, and so on. Once the shooting was completed bets were collected, with the losers paying off. This sport had the added attraction of being easy to repeat —as many times as those participating wanted it, or until the money ran out!



Round tongs are flanked by a pair of nippers and flat tongs, as well as horseshoes of varying sizes and shapes. Many of the shoes still retain the old square-headed, handmade nails. Former President Lyndon B. Johnson has fond memories of anvil shoots during Armistice Day celebrations.

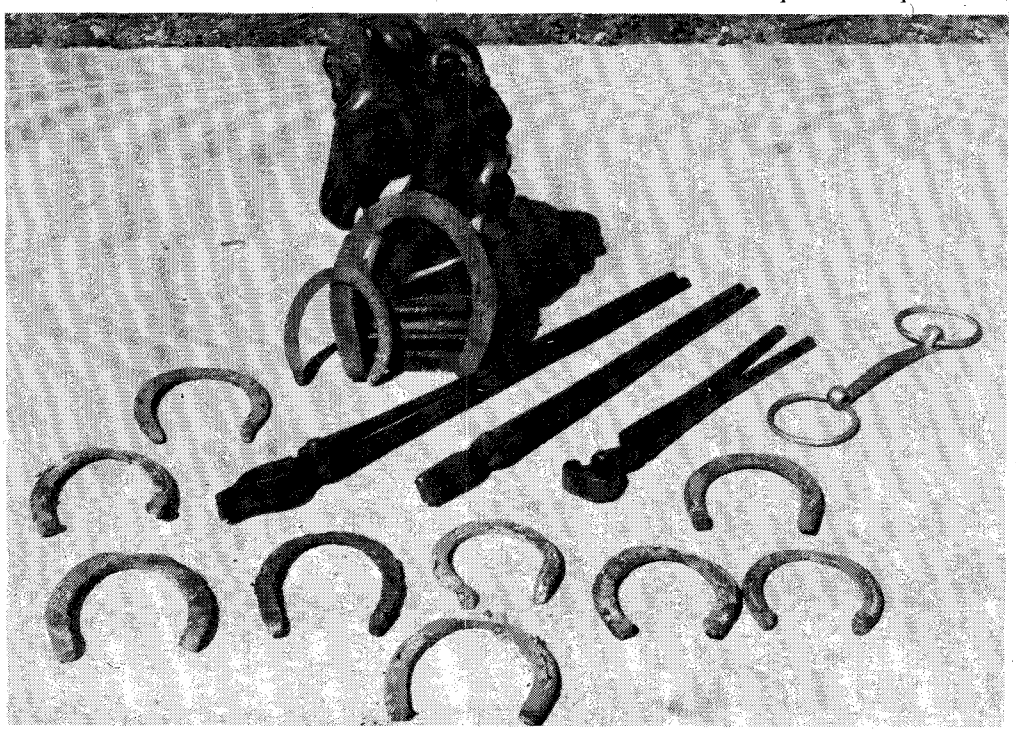
Back in 1893 Ardmore, Indian Territory, (later Oklahoma), with a population of 3,500 (according to the Bensel Business Directory published at that time), had seven blacksmiths, numerous harness makers and several livery stables, as well as a Wells, Fargo & Co. Express stop on North Caddo. Even very little towns in the Territory had from one to three blacksmiths. And this state of affairs continued for a good many years.

The firecrackers of today are just a weak, watered-down, childish version of the ear-shattering blasts of the cannons and anvil shoots of yesteryear—our pioneer forefathers really knew what noise was and how to appreciate it.

The men of those times were much like the anvils—strong and insensitive to the hardships of cruel and dangerous surroundings, willing to endure backbreaking work and tolerant to oppressive loneliness. Like the anvils, too, they were stolid most of the time, but both could display a singular lack of inhibition on occasion.

It was during their rare moments of leisure that man and anvil teamed up for diversion, for the frontiersman sometimes tried to prove that he was half alligator and half grizzly bear by lifting the anvil over his head and tossing it backward. In competition, the difficult feat of toting the anvil by its horn—another form of frontier play—was sometimes made impossible by a sneaky application of goose grease applied by a rival.

Anvil-ism had its practical aspects also, for sometimes, to discourage Indian attacks, the anvil shoot was used to simulate cannon fire in poorly fortified white pioneer settlements. Thus, there was another reason for the name "poor man's cannon" for this very old custom.



Horseshoes, tongs, nippers and an old bit found on the site of an old stable used in Indian Territory days were some of the mainstays of the blacksmith. In those days, the smallest towns had at least two smiths.

The anvil shoot has sometimes been used by mischief makers, for there is a story that once in Warm Springs, Georgia, Ku Klux Klan gatherings were broken up and Negro baptizings were disrupted by clandestine anvil shoots. This fine display of bipartisanship was said to have been perpetrated by a group of young sports who called themselves the Cherokee Hell Raisers.

Also in Georgia, it was for many years a Valdosta custom to commemorate the "lost cause" by setting off mournful anvil blasts on Confederate reunion days. Now most of the old soldiers are long gone and the custom almost forgotten.

Once, long ago, in a West Tennessee frontier village, it is said that Davy Crockett was afforded the honor of touching the red-hot poker to the loaded anvil to celebrate his election to the U.S. Congress. I hope the story is true, for it would have been fitting and an honor that the great frontiersman would have appreciated.

There were occasions when just shooting off two anvils just didn't seem to be enough. When Grover Cleveland was elected to the presidency in 1893 it was a complete Democratic sweep, with the party controlling both houses as well as the presidency for the first time since the Civil War.

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As might be expected the South went wild. And in Fayetteville, Tennessee, the anvils were shot in *batteries!*

Even as late as six years ago, following the Ranger landing on the moon, President Lyndon B. Johnson said in an interview with NASA officials: "When I grew up as a kid, one of my first real memories was hearing the powder go off on an anvil on Armistice Day!"

And what did the anvils look like and how were they made? First, they were heavy! Some weighed as much as 300 pounds. It really took a man to tote one.

A smith's anvil, such as mine, is a steel (or iron) block on which pieces of metal can be laid for the purpose of being hammered. It consists of seven parts, namely: the *core* or *body;* the four corners for the purpose of enlarging its base; the projecting end, (which contains a square hole for the reception of a set or chisel to cut off pieces of iron), and the *beak* or conical end, used for turning pieces of iron into a circular form.

These parts are each welded separately to the core and hammered so as to form a regular surface with the whole. When the anvil has received its final form, it is faced with steel, and is then tempered in cold water.

My anvil is 10 inches long at the base and 9 inches wide. The top part is 22 inches long by 3-1/2 inches wide. On one side, within a circle molded in the metal, is the word "Vulcan." In the center of the circle is an arm holding a large blacksmith hammer and below this the words: "Reg. U.S. Patent Office." On today's market such an anvil would be worth approximately $50.00.

The anvil came to me from my uncle who had a smithy and harness shop combined in Durant, I.T., during the late 1890's and early 1900's. Durant is located about fifty miles from Ardmore, and there were a lot of other blacksmiths there besides my Uncle Carl who, by the way, supported and educated fourteen children by virtue of his efforts at the forge. Not only that, but ten of them went through college and became school teachers, so the occupation must have been fairly profitable.

I have a number of other interesting tools of the trade which are just as serviceable today as ever. Back in the "good old days" there was no planned obsolescence such as we now encounter in almost everything. Tools were made to last and often served several generations.

But the anvil, with its exciting history, is by far the most interesting, though its thunderous voice is stilled. Perhaps one day we will roll back the years, peer into the mountain mists, and anvil shooting will again be revived. Then will the voice of the anvils again pay homage to our forefathers who secured a degree of freedom unsurpassed anywhere else in the world—and to a people who have maintained that freedom. ●

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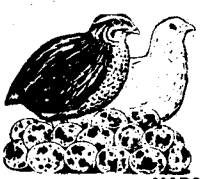

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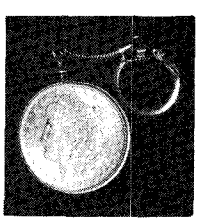

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HOW THE U.S. HUMILIATED CHIEF BLACK HAWK

(Continued from page 7)

clubbed and shot every Indian they saw, women and children as well as braves!"

When the assault was at its height, the *Warrior* appeared and joined the attack. The Indians were in a pincers.

General Atkinson immediately capitalized on the situation. A number of Indians, seeking to escape, had swum to a nearby island for refuge. When the *Warrior* appeared Atkinson directed an attack upon the island, while the *Warrior* raked the trees with its six-pounder, loaded with canister. The *Warrior* also sent small boats to shore to transport soldiers to the island. Zach Taylor sent a detachment in the boats, and these soldiers raked the island with fire as the canister barrage knocked the Indians from the trees. The Mississippi ran red with blood. History records that but one Indian on the island survived, but doesn't explain how that happened.

An unearthly silence fell over the battlefield. There was practically no one left to kill. The Americans took 39 prisoners, all women and children. They were escorted to Jefferson Barracks by Lieutenant Jefferson Davis, who would one day become President of the Confederacy.

Of the 1,200 soldiers engaged, 17 were killed and 12 wounded. The Indian casualties were 150 killed and 150 drowned. An historical marker at the site of the battle states that 300 crossed the river, of whom 150 were killed by Sioux instigated by General Atkinson. Those who were not killed were taken prisoners.. (Indian Agent Street told the Sioux that by their act they were redeemed in the eyes of the government for an earlier failure to serve the United States as warriors.)

General Winfield Scott later apologized for the killing of women and children, saying some were killed and hurt unavoidably.

The victory was complete but for one thing. Black Hawk, the principal prize, escaped. In company with ten of his warriors the Sauk chief made his way to the Winnebago village of Prairie La Crosse where the squaws made him a handsome garment of white deerskin. Resplendent in his new outfit, he surrendered to General Street at Prairie du Chien.

Said Black Hawk, "We did not expect to conquer the whites. They had too many guns, too many men. I took up the battle for my part to revenge injuries which my people could no longer endure."

Of his home he said, "Rock River was a beautiful country. I loved my towns, my cornfields, and the home of my people. I fought for it."

The Sauk's "trail of tears" which ended at Bad Axe was actually "... a rear guard action against advancing invaders which compelled the Federal Government to put an army in the field, a masterfully conducted retreat whose outcome was never in doubt," one authority has stated.

Black Hawk was born in 1767 in the great village of Saukenuk at the junction of Rock River and the Mississippi, where the city of Rock Island, Illinois now stands.

In Black Hawk's day Saukenuk was the populous center of the Fox and Sauk confederation with its thriving towns and extensive gardens which stretched along the Mississippi from the mouth of the Wisconsin to that of the Des Moines River.

The Sauks and Foxes were loyal to Spain within whose sphere of influence they were situated. The Spanish were content to administer the holdings they claimed, but with the purchase of the Louisiana Territory in 1803, the Sauk-Fox confederation resisted their new masters, who set out to occupy the land.

In the War of 1812, Black Hawk aided the British. This caused the Americans to organize an expedition of 430 men under 29-year-old Major Zachary Taylor, which set out to destroy the Sauk villages on the Rock River. Black Hawk was supported by Indian allies and 30 British soldiers with a 3-pound cannon. This alliance caught Major Taylor by surprise and he was forced to withdraw.

With the defeat of the British, the Americans sought reprisal against Black Hawk and his people. General Atkinson was ordered to head a military expedition which was to destroy the Sauk villages and defeat their leader. An appeal for militia brought out 1,500 men, including Abe Lincoln, happy to escape the routine of being a clerk at Denton Offutt's store in New Salem, Illinois. At one time there were some 4,000 men in the field.

Black Hawk's Indian allies deserted him. He took to the field with his own people, who were driven from their homes. First contact between the two forces was made May 14, 1832. The Indian general knew he couldn't win and sent men with a flag of truce. They were greeted with gunfire and three fell dead. The undisciplined militia set out after the fleeting couriers and ran into an ambush set up by Black Hawk. When more troops came up, they found eleven of their companions dead. As the Indians retreated, they murdered a farm family they came upon.

From then on, it was all downhill for the retreating Sauks. They ate roots and bark and all the dogs. Many deserted.

The army caught up with the Indians again near the site of present Sauk City, Wisconsin. What ensued is known as the Battle of Wisconsin Heights.

As women and children crossed the Wisconsin River on makeshift rafts, Black Hawk's warriors held off the soldiers with a determined crossfire from the hillsides. The Americans finally succeeded in driv-

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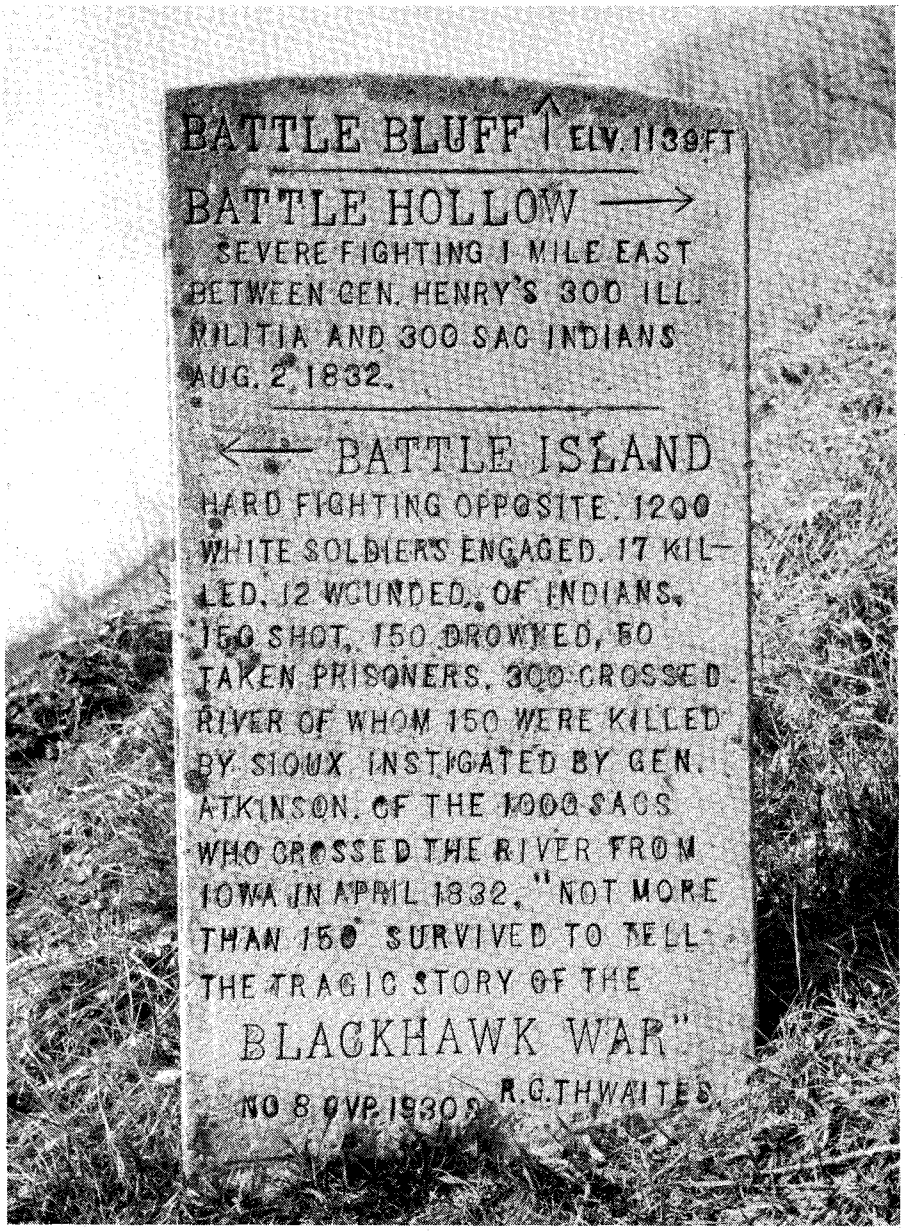

The historical marker commemorating the short-lived "Black Hawk War" is shaped, appropriately enough, like a gravestone. It notes 17 white soldiers were killed as opposed to more than 450 Sacs who were slain.

ing the Indians down into the river bottoms, but there in the high grass and brush they were able to hold off the army until darkness ended the battle. In the night the remainder of Black Hawk's people crossed the river.

From there to the mouth of the Bad Axe Black Hawk's trail was easy to follow. It was marked with pots and blankets and other cast aside impedimentia, and by hastily dug graves.

In the treaty that followed, the Sauks were compelled to forfeit some six million acres of their land, to which they were enjoined never to return. In exchange they got a 40-mile-square reservation along the bank of the Mississippi in Iowa, a blacksmith and gunsmith shop, and $40,000 to pay their debts to traders. In cash they received $20,000 for their cession, to be paid over a period of 30 years.

Black Hawk was taken on a tour, the purpose of which, apparently, was to dramatize the govenment's success in putting down Indian resistance. In the East the chief was lionized. He was cheered in the streets and was made the guest of honor at banquets. But as the tour came closer to the frontier, the public became hostile and the Sauk chief was hung in effigy. Black Hawk became silent and withdrawn.

George Catlin, ethnologist and painter of Indians, saw Black Hawk in his old age and wrote of him, "The poor dethroned monarch was an object of pity. With an old frock coat and a brown hat on, and a cane in hand, he stood the whole time outside the gathering, in dumb and dismal silence."

Chief Keokuk, who had given the whites everthing they wanted, was set up as the leader, and Black Hawk's humiliation was complete. ●

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DEAD SLEEP LONELY

(Continued from page 17)

well into New Mexico, sold them mules and gone his way. We might start for Gallup if our horses can walk that far, and see about help from the law."

Elden agreed to this. They headed south for a wagon road that followed the main line of the Atlantic and Pacific Railroad. (Now the Santa Fe). It was their only chance to obtain food and help. Two miles below their storm camp they luckily found water, slaking their thirst-swollen throats.

They stumbled on, leading the gaunt horses to the railroad on the Rio Puerco. Crossing over they arrived in exhausted condition at the Houck trading post. There a kindly trader fed them warm food, and they rested several hours. Elden was the first to stir. He was determined to keep after Roberts at all costs.

Departing Houck they rode worn down plugs, being unable to acquire fresh stock. Their renewed strength was quickly sapped following the wagon road east above the Rio Puerco's crumbling clay banks. Only a few miles on they were forced to make camp, completely exhausted.

Elden said wonderingly; "Not using my head. When we are rested we'll return to Houck tonight. "I'll ride the cars to Gallup."

The horses were tied on ropes to cedar trees, giving them some chance to graze. The men lay down in a grassy glade off the road. Near sundown Hull roused up, curious over a sound communicated through the ground—he was an experienced plainsman. He listened briefly, then placed an ear to hard dirt again. This time he was certain.

"There's a rider coming down the road," he announced.

Elden and Brogdon roused up from their lethargy, staring intently at the still empty road beyond the encircling timber. Within a few minutes a single rider appeared, jogging along from the east.

Hull drawled, "Maybe he's from New Mexico. Even if he likely don't know, we can ask him about Roberts anyway."

He sauntered toward the roadside as the brawny rider drew near.

"Howdy, stranger," Hull called.

As the man reined in Elden and Brogdon moved close. Suddenly Elden jerked his sixshooter.

"Get down, Roberts!" he thundered. "Make it real easy-like, or you're a dead man!"

Hull and Brogdon were astounded. For some reason Roberts had turned back west. He was now well dressed and clean shaven, nothing like the description they had of him. For an instant the rider hesitated. Then, apparently deciding he could brazen out a dangerous situation, he dismounted.

"What's this all about?" he asked.

"For killing my boy John, and you know it," Elden replied tonelessly. "We chased after you, and you damned nigh got away."

"You're crazy!" Roberts snapped at him. "I didn't kill your kid. Haven't been over that way in five-six months!"

"My missus saw you fire the shot after she refused to let you use up all our water."

Again the burly man hesitated over a course of action. Then he boldly admitted being there. First he claimed he know nothing about a shot fired, then said that he had heard what might have been a shot after riding off some distance. When the three hard-eyed men said nothing he changed his story again, insisting that if the kid was killed it must have been a stray bullet—an accident pure and simple.

"Shut up," Elden ordered him wearily. "You can tell it to a jury. You'll go back and stand trial. Your partners will have their side of the story to tell."

"Yeah? You fellers ain't lawmen. You got no authority to arrest me, damn you. I'm tired of fooling, so let's break this up!"

Elden had kept his gun levelled, and now Hull and Brogdon drew. Standing with his hands lifted Roberts was disarmed, shoved roughly into the cedar glade and secured with a rope.

Dis-spiritely the captors kindled a small fire to boil coffee, and fixed supper from tinned food bought at Houck. Eating in silence, dead tired from the manhunt, the same thought occurred to all three. Unless they could keep a man wide awake and alert, Roberts would surely escape.

"Trouble with trying to take him back," muttered Hull, "is, who's able to stay awake watchin' the varmint? It sure ain't me. I'm all petered out."

"So am I," Elden admitted, facing up to reality. "I can only try."

"I'm in the same fix," Brogdon warned them. "But I sure hate to see a man who deliberately killed a little boy get away with as foul a crime as anybody ever heard tell of."

"Hell!" Hull exploded. "Let's shoot him. Quit wasting time and be done with it."

"Well, I don't know about that," Elden demurred. "Seems like in the name of justice even a man bad as Roberts ought to have a trial."

"Was it justice when he shot little Johnny?" Brogdon interrupted, his eyelids almost closed despite his attempts to stay awake. "Had he killed a growed man, even for no reason at all, this deal would set better with folks. But a little innocent child—murdered!"

"We'll do it like John wants," Hull announced. But he also had great difficulty keeping awake.

"I can't stay awake to see he don't escape no more than either of you," Brogdon declared again. "That's asking the impossible."

Probably it is best not to identify the man who finally proposed outright that they shoot Roberts and get some rest. But when the question came to a vote, the die was cast. Curiously, it wasn't one by voice. An empty tomato can was placed between them where they squatted on the ground. Each man, selecting a small pebble, concealed it in his hand before dropping it into the tin. A white stone meant a vote for attempting the impossible—getting Roberts back to Flagstaff. A dark one approved incapacitating him, at least.

Each man dropped his pebble into the can. They sat awhile in silence before Hull stretched a hand forth and emptied it. Three dark pebbles fell out, meaning an unanimous vote for shooting Roberts. Today such rough-handed justice would be condemned. But in those days of a harsh frontier battle for survival public opinion would uphold them. They had held a "kangaroo court."

They took Roberts and his horse to the rim of a dry wash farther back in the cedars. The culprit had no idea that his fate had been sealed.

When his body was found weeks later his straying saddled horse had been picked up by Indians. Ground evidence revealed that he was riding up the wash when he was felled by a single bullet from the side. His limbs were not tied and his gun holster was filled. The signs tended to show that Roberts had been freed, turned loose and must have been told to start riding yonder.

Who actually killed him was a secret not one of the three ever revealed. All Elden had to say during the balance of his short sojourn in Arizona was, "He ain't no more." Most Flagstaff citizens assumed this to mean that Elden killed Roberts. But few of them asked questions. Some mistakenly believed that Elden took after the culprit alone and was met coming back to Flagstaff by an oncoming posse.

"No use of you going on, boys," Elden is supposed to have told them. "He's done been took care of."

Brogdon outlived Hull and Elden. After the turn of the century, and until his death in 1934, he talked freely of the Elden case to close friends.

ON HIS RETURN home from the hunt Elden took his wife and two daughters to Hayward, California. He returned alone to dispose of his property. Turning over his sheep to Hull, fifty miles north of the San Francisco Mountains, he started for Flagstaff in a January snow storm (1888). Almost blind with cold, and his feet frozen, he was found by Tom Grady on the trail at night. Grady managed to carry him to within

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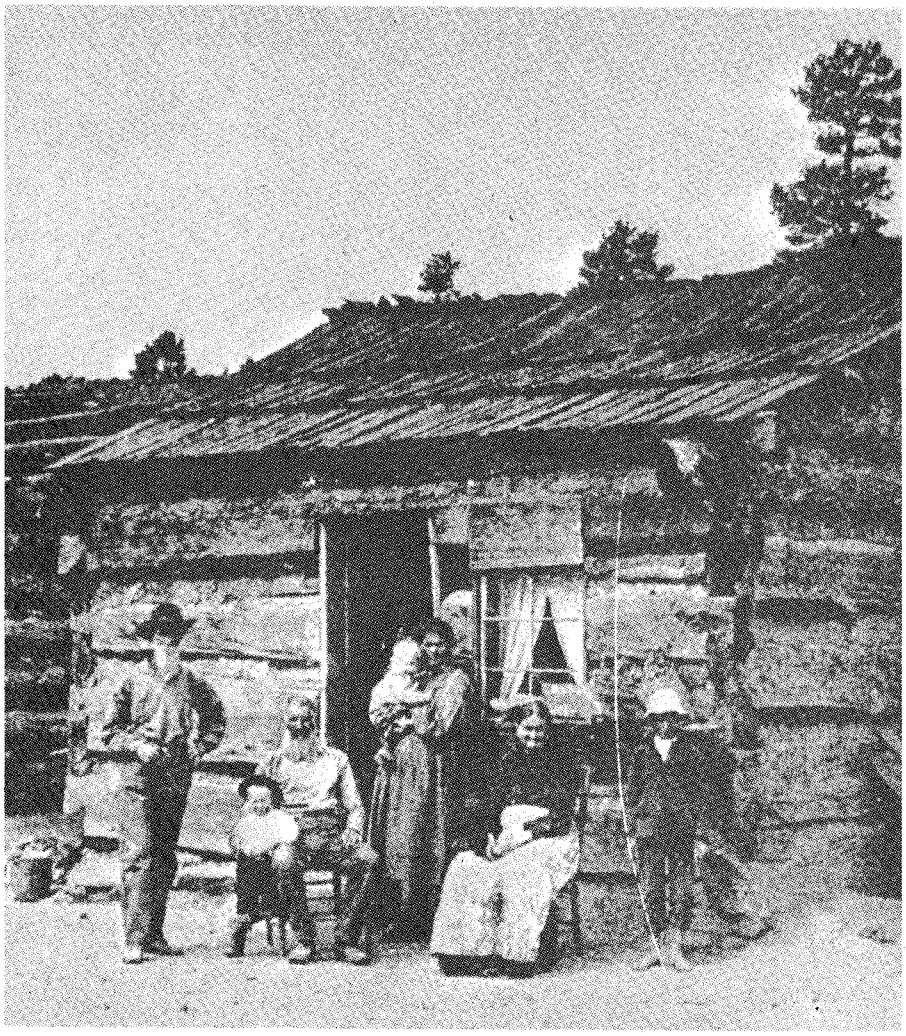

Elden home built in 1875, photo taken after Eldens left and cabin housed new settlers. Structure no longer exists.

one mile of a settler's cabin, one George Hockderffer, before giving out. Elden could not ride or walk. Battling through four feet of snow Grady went on alone and brought Hockderffer back. The settler packed Elden to his home on his back. On recovery some time later Elden returned to Hayward, where he resided a couple of years longer.

He then took his family to Alaska, spending the next twenty five years there. During that sojourn on an even rawer frontier than Arizona, five more children were born to the Eldens before they moved back to California, where Elden lived the balance of his life at Hayward.

Meanwhile in Flagstaff the older settlers moved away or gradually died off. The Elden boy's murder became a fogged and lost story until recently.

Even today the lonely grave vitally interests only one man. Roy Fanning, operator of a laundry, first heard of the remote grave in 1928 from Dan Miles, a rancher who lived nearby. Fanning was regaled with a dozen stories about the lonely sleeper. In 1930 he located it, finding the original picket board fence rotted away. Only part of the wooden cross of the grave marker remained.

Fanning replaced the wooden fence, but by 1944 it had been carried away by vandals. A second enclosing fence he built was also gone by 1961. This time he enclosed it with stones and marked it with a cross made of pipe. In the cement base he placed a segment of the original wooden cross.

Each Memorial Day Fanning placed flowers on the grave. Asked why he took it upon himself to care for the grave, he replied, "I just kept thinking of that little girl there all alone—at that time I believed the stories handed down about it. It is in such a lonesome spot, and I sort of wanted to keep her memory alive. Perhaps having two daughters of my own has something to do with it."

Now, knowing the true story of the grave, he has aroused local citizens to assume an interest. A permanent monument will soon mark the grave in memory of a small boy, the innocent victim of an atrocious murder.

The Elden grave is one of many, many thousands scattered through the West, marking the last resting place of those who died opening up the great frontier. Some are forgotten. Most have been lost by erosion resurfacing of their sites. The few known ones should be, as Fanning says, preserved for posterity in memory of those families who braved the wilderness with courage and fortitude.

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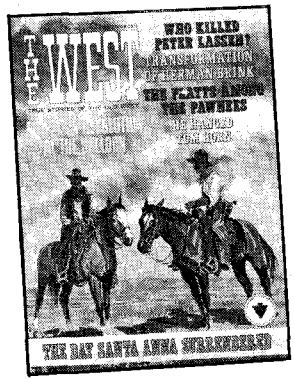

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WYOMING'S POISONER

(Continued from page 40)

Pacific Northwest, though not on immigrant trails where apprehension would be likely, Ford spurred his horse toward the western slope of the Wind River range, the fastest alternate route to Oregon.

He caught up with the Bartletts late in the afternoon of the seventh day. It was in the Hoback River Valley of west-central Wyoming. They were encamped on an aspen bordered meadow on the east bank of the Hoback.

Ford muzzled his horse and crept into the aspens. Soon he was within a clump of junipers on the edge of the meadow. He appraised the Bartletts, particularly Stephen's proximity to the double-barreled 10-gauge shotgun which was laying against the stump of a pine. Then he went into the meadow. "Just raise your hands, and . . ."

He didn't finish. Stephen lunged for the 10-gauge. This was a suicidal gesture; Ford had the sights of his Spencer .56 carbine zeroed on Bartlett's chest. He squeezed its trigger. Its enormous slug bowled Bartlett over as though he had been struck by a sledge.

A week later Ford and Polly rode into South Pass City. They were leading the horse which carried Stephen's body. Ford escorted this grim little caravan to Marshal Lombardi's office. "Here's the Bartletts," he said. "Make out the receipts so I can collect the rewards."

"What about the mony they stole from their victims? Did you find it?" Lombari asked.

"I found it. And I'm keeping it. Nobody could prove who it belonged to, anyway."

About midnight of that fateful day, which was October 7, 1868, someone on a horse rode behind the jail and, standing in his stirrups, fired both barrels of a 10-gauge shotgun through the window of the cell in which Polly Bartlett was confined. She was killed. Later it was rumored that the horseman was a German immigrant named Otto Kalkhorst, who was foreman of one of Barney Fountain's mines. But no one bothered to question Kalkhorst or Fountain about it; the general opinion was that Polly's assassination had saved the taxpayers the expense of a trial and a rope.

As for Ford, he married Sally Lombardi, the marshal's daughter, and with the money he had retrieved from the Bartletts, and the rewards, he established one of the most impressive cattle ranches in the West. In the Sandy Creek Valley near the present village of Farson, Wyoming, it had 11 main buildings and 3,000 head of Hereford cattle.

But Ford and Sally did not have long to enjoy this magnificent spread. The following spring, warriors of the renegade Cheyenne, Burning Breast Bear Shield, attacked the ranch. They massacred Ford and his wife and seven ranch hands. Then they set fire to the buildings.

South Pass City died, too, a few years later. Its gold fields fizzled out. The expansion of the Union Pacific railroad and lowering of passenger rates ended the era of the Conestoga wagon trains.

Recently John W. Woodring, former publisher of the Sterling, Colorado *Advocate* purchased the remains of the old frontier town. It is one of the best preserved ghost towns in the West. He plans to restore it as a tourist attraction.

Doubtless it will attract many vacationers. But how many of the hordes who will stare at the remains of Bartletts Inn will realize that this is no ordinary structure . . . that 22 men died in it because of the greed of an evil woman? ●

THE ASSASSINATION OF PARSON TOLBY

(Continued from page 23)

ned down as a suspect. But one man did declare vengeance on the lynch mob, concluding to do something about it.

He was a distant kinsman, Francisco Griego, better known as Pancho. He went around declaring that Allison led the mob and that he was going to kill him. Many heads were wisely shaken by men who considered Griego a fool for making the threat.

But Griego was not a fool, and was, besides, long experienced in murder, having disposed of twenty men lethally. Only the past June 6, he killed three Negro soldiers in the St. James Hotel saloon and billiard parlor. A Santa Fe Mexican, he came often to visit relatives in Cimarron That day he operated a monte game for soldiers from Fort Union. Their steady winnings finally drove him into a rage.

Leaping to his feet and knocking all money off the table to the floor, he jerked out his sixgun and a bowie knife. Opening fire as the troopers fled out the front door, he shot two dead, and bloodily knifed a laggard third into the hereafter.

None of the slain men had been players in the monte game. According to the Santa Fe *Weekly New Mexican*, dated June 8, 1875, the dead were identified as Private Carrol of L Company, a mere bystander, Private Gately of the same company and Private Schien of E Company, both of the latter having just entered the saloon. This last pair of victims had no idea of what the argument was about.

Griego fled back to Santa Fe and pursuing troopers never came up with him. Beyond that nothing was done about the murder of the unarmed soldiers. Boasting of being untouchable, Griego returned to Cimarron in late October.

Allison was quite aware that the swaggering Griego had made numerous brags to kill him. Few doubted his intentions were for pure revenge, but mostly to enhance his own killer's reputation. This may be why Allison made it a point to be in Cimarron on November 1. He drove in a wagonload of beef, putting his team in Donohue's livery barn near sundown.

On the way uptown he met no less than the murdering bully. He had two cohorts with him, a man named Horn and one De Fellitas. Griego was dressed as usual in a toreador's gold and silver laced outfit complete with bolo sash and high peaked ornamented sombrero. This day he carried a Winchester rifle in addition to his sixgun and bowie knife. His gaudy, ferocious appearance awed most men but only disgusted Allison.

There are varying versions of what followed, and differing details of the shootout. Probably the most accurate are those given by a native of Cimarron, George Crocker, and Miguel Antonio Otero, then a court clerk of the Fourth Judicial District and later governor of New Mexico.

On recognizing Griego, Allison lifted his left hand and at the same time dropped the right onto the handle of his holstered gun.

He said, "Pancho, you have help and you're better armed than me."

At once Griego tossed his rifle to the ground saying sneeringly, "Don't be afraid of me. I am not going to hurt you!" This smirking in triumph to a man widely known for being afraid of nothing on earth was sheer self-delusion.

Actually, the two sparred for the advantage. Allison against probably three in a shoot-out, and Griego for a sneak attack because he was afraid of Allison.

Griego walked up to Allison, offering a handshake, hoping to throw his intended bushwhack victim off guard. He then turned to his companions, telling them to pick up his rifle and go see to their horses.

Allison and Griego continued on uptown side by side. The latter began recounting what a tough man he was, having killed many men and being too fast on the draw for any mortal.

Allison listened without comment. On reaching the entrance to Lambert's St. James saloon he led the way inside. Except for a couple of bleary-eyed customers the bar was empty. Lambert, who did his own cooking, was summoned from the kitchen to set out a bottle and glasses. He then returned to finish getting supper.

As the raw whiskey bit into him Griego resumed his bragging. Saying he had forgotten how many men had fallen before his fierce attacks, he said he knew it was at least twenty. Most had been *Americanos*, whom he hated.

Allison interrupted him with, "You are the goddamnedest liar that ever lived!"

Belatedly, Griego realized that he had not flim-flammed the cowman at all. Presumably, for an instant he wished that Horn and De Fellitas had not been sent away. But all was yet well, for Griego considered his guile crafty enough for the occasion.

Scowling, he wheeled out from the bar, turning his back while doffing the high peaked sombrero.

He said, "Come here, amigo!" He pretended to fan his face, then lowered the sombrero to his waist. It shielded his sneak gun draw as he turned about from the left. Behind the sombrero was a hammer-clicking gun, but he never got a chance to fire even once. Standing with back to the bar Allison laughed silently above the leveled sixgun before it exploded. Stricken, Griego shook under the bullet blow. Two more chunks of lead hit him before he collapsed, dead, to the floor.

Lambert appeared abruptly in the kitchen door, only to dart back out of sight. Facing the two staring range riders, who

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were unknown to him, Allison deftly refilled his gun. At this point one of them fled on the run. The other was too transfixed to move.

The romancers claim Allison bribed the remaining cowboy as a witness by offering him a job. This isn't likely, and Otero did not believe it. For the good reason that Allison didn't need to threaten anybody. It was too well known that witnesses against him in the past died suddenly before they could appear in court.

Gun in hand, Allison started out of the saloon. Reaching the street he saw Horn and De Fellitas hurrying to rejoin the renowned Griego. They had been alerted to danger by the blasting shots. The sight of Allison warned them they were too late. Horn darted like a rabbit into the mouth of a convenient alley. De Fellitas displayed his nerve by drawing as he braked to a stop an instant before Allison's bullet plowed into his face.

The lone cowboy in the barroom sprinted out and took himself into nowhere like the first. Lambert ran across the room then, and barred and locked the front door. Turning out all the lights he refused to open up again until the next day.

Commenting on this incident, the Santa Fe *Daily New Mexican* reported:

On the night of the 1st, Francisco "Pancho" Griego was shot and killed by R.C. Allison. Both parties met at the door of the St. James Hotel, and entered to drink with friends, when the two walked into a corner of the room and had some conversation. Allison drew his revolver and shot Griego three times; the lights were all extinguished, and Griego was not found until the next morning. Francisco Griego was well known in Santa Fe where his mother resides. He had killed a great many men, and was considered a dangerous man. Few regret his loss.

A mob of armed Mexicans spent the night trying to find Griego, and Allison if possible. Strangely, they must have been blind. Allison did not flee anywhere. Instead, he spent the night carousing with his men, who had ridden into town just after sundown. Delivering the beef the very next morning, he calmly drove to his home alone. By then Griego was already buried in the *campo santo* beside Vega, not far from where Tolby had been buried.

Three men were now dead in the aftermath of the preacher's murder.

Immediately after Vega's hanging, Manuel Cardenas fled to Taos in fear of his life. Dr. Longwill escaped to Fort Union that same night. Allison and twenty of his cowboys took after him in hot pursuit. Reaching the fort too late, they met the commanding officer's adamant refusal to turn him over for summary justice. Later Dr. Longwill was sent to the safety of Santa Fe under heavy escort.

Lawyer Mills was attending court in Trinidad, Colorado, the night Vega was strung up. When the news reached there that a mob sought him, his friends strongly advised against his returning to Cimarron. Having a lot more guts than most, Mills declared that no bunch of hoodlums could keep him away from home. He could not have been more imprudent.

No sooner was he spotted entering Cimarron than the telegraph wires were cut. This would prevent Governor Axtell from receiving a message asking for troops to rescue the hated man. It was reported that a masked mob seized Mills as he entered his house. But it was only Allison and a couple of his cowboys. They were quickly joined by about 100 men led by McMains, who took over prosecution of the lawyer.

Mills had many staunch friends who immediately rallied, bearing arms. For some taut hours it appeared a gory street battle was certain to take place. Finally, it was arranged by cool heads on both sides that Mills would be tried by the populace the next morning.

At this point, peace apparently restored under an arranged truce, the Indian agent of the Utes interrupted the proceedings. On the pretext that a dire emergency existed in his department he inveigled the leaders into restoring the cut wires. Immediately he dispatched a message to Governor Axtell that mob violence had broken out in Cimarron. Indeed, the entire county lay helpless under control of the outlaw element. At this point also, all lawmen had conveniently disappeared.

The kangaroo trail of Mills was still going on the next day when a company of cavalry arrived from Fort Union. Taking Mills under their protection they escorted him back to the fort. For some months the lawyer made himself scarce. On returning to public life after the furore died down, he became an outstanding citizen of the territory.

Allison went to the justice of the peace, demanding a warrant for Cardenas' arrest. Refused, he upped with his gun, poking the judge in the ribs with the muzzle. Then, armed with the necessary paper, he confronted Sheriff Rinehart.

"I'm not asking," he said to the Ring's sheriff. "Here's my right hand in the air taking the oath. Now hand me a badge!"

When Allison went into action hirelings of the Santa Fe Ring and Land Grant officials did not dare oppose him. After all, immediate death was not a fair alternative to the anger of their bosses. Allison got the token of office without demur.

Taking half a dozen of his men he proceeded to Taos. Encountering no difficulty at all, Cardenas was taken into custody. The party started back to Cimarron with him. What happened then has produced considerable argument all the years since.

Somewhere on the road a halt was

(Continued on page 66)

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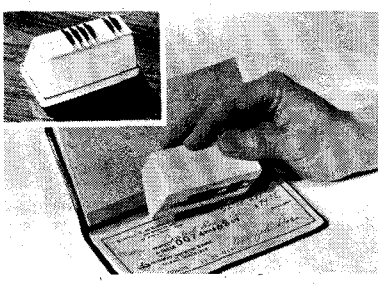

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PARSON TOLBY

(Continued from page 65)

made. The persuasion must have been good, for in fear of his life Cardenas signed a lengthy affidavit. As Vega's confession had, it implicated Governor Axtell and the Santa Fe Ring. In particular it named a number of Cimarron men as guilty before and after the fact. The on-the-scene prime movers, so alleged Cardenas, was Mills who gave orders, and Dr. Longwill who paid off for the scurvy deed. Allison did not remove Cardenas from Taos, force a confession and then fill him full of bullets as some authorities assert. Indeed, for some perverse reason, he delivered him to the Cimarron jail to await a hearing in court. Perhaps he felt a vagrant whim to allow the legal apparatus to function as it should.

When the Santa Fe Ring by legislative act removed district court from that county to Taos, they could not, under the Enabling Act, dispense with the district JP's. Most likely Allison wanted a hearing on Cardenas to spread the facts of Tolby's murder before the public. He fully expected that Cardenas, fearing what would happen to him later if he recanted, would stick to his affidavit. Allison should have known that the Ring would provide their hireling with all protection possible—at least until they could shut him up for good.

Once in the hands of the "law" Cardenas quickly recovered his nerve, certain he would be protected and released. The Ring did just that, by sending over from Santa Fe their special criminal lawyers to defend him. Men under cover and gunmen who swaggered all over town intimidating citizens would assure his quick release.

On the day of the hearing the gunmen filled most of the court room. Hundreds of citizens also came to town, but few of them could get inside to witness what went on. They were there hoping by some miracle that justice might yet be done, that Tolby's slayer would yet be nailed.

But that wasn't in the cards. Cardenas was not held or indicted by a grand jury. The cynical Allison sensed this from the beginning. First of all, Cardenas' affidavit was not permitted to be entered as evidence. From there on the hearing turned into a crowning farce. Witnesses were produced who swore by The Book they were with the defendant on the trail when Tolby was unexpectedly encountered. The preacher, according to them, lit into Cardenas with wild accusations of outlawry. Then he reached for a hip pocket, a dangerous move for any man to make in lawless New Mexico. It signified going for a pistol, despite the fact Tolby was known never to go armed. Cardenas had then drawn and shot "in self-defense." It merely happened accidentally that his victim turned in time to get both bullets in the back.

Allison and two of his cowboys had bulldozed their way to hard benches in the courtroom. When all this began coming out he stared fiery-eyed at the Ring's lawyers who made justice a mockery. He knew what would happen, probably believed so from the first. Cardenas would be turned loose. The lengthy hearing dragged on all afternoon. By then Allison and his men had departed unobstrusively.

Cardenas, of course, was freed. But the Ring's lawyers considered it advisable that Sheriff Rinehart keep him safely in jail that night. The angry populace seethed with righteous indignation. Armed cowboys roved from one saloon to the other. Restlessly they roamed from the Maxwell House, to the St. James, the Brick House, the Silver Dollar and a few more. Everywhere they orated loudly and made bitter war-talk. By another dawn they would be drunk or run out of spleen. Yet for the time being Cardenas was most certainly in danger of being killed.

Sheriff Rinehart, Deputy Charles Hunt, and three or four others surrounded the triumphant Cardenas, moving him from the courtroom towards jail in the deepening dusk. Smirking, he sang a little song in Spanish while prancing along. Protected as he was, surely there existed now nothing more to fear. But ahead of them in the gloom appeared a long man, walking with a slight limp. Halting as they approached enroute to the "dog house," as the jail was called, he got out of the way to let them by on the sidewalk. Then a single shot suddenly rang out. The bullet whipped over one deputy's shoulder past Sheriff Rinehart's hat, and killed Cardenas in his tracks.

Not one officer would swear that Allison fired the shot. But they knew him so well they couldn't have failed to identify the limping man. In turn they must have had considerable explaining to do to satisfy the Santa Fe Ring. Or maybe the Ring was glad to be so easily rid of a turn-coat hireling. Maybe not. Anyway, Governor Axtell offered a $500 reward for Allison's arrest on a series of assorted charges.

The reward notices caused him to laugh loud and long, and get drunk again. There wasn't an officer in the whole of New Mexico who dared risk his life attempting an arrest of the wealthy cowman of Otero. In the past those who tried it had come to sudden grief, except Town Marshal Mason Bowman. Those two were now firm friends, owning to a mutual respect for each other.

While on a spree Allison took exception to a *News And Press* item supporting the Land Grant Company. On a January night, 1876, he led his men into the small plant. The paper was then edited by W. R. Morley, Frank Springer and one Dawson. First wrecking the pressroom, the raiders carried out the press and type, dumping it all into the Cimarron River. Long lost, a boy found it there in 1950.

The following morning Mrs. Morley stood in the smashed office weeping over the loss when Allison walked in. He saw only a young woman in some sort of sorrow. But she knew him.

Turning, she cried, "Now look at the awful thing you have done, Mr. Allison!"

According to her daughter, Agnes Morley Cleaveland, in her *Satan's Paradise*, he said to her, "You are Mrs. Morley? Clay Allison don't fight womenfolks. Here," he added, thrusting a roll of $600 in currency into her hand, "go buy yourself another press!"

Governor Axtell was deeply involved with the Santa Fe Ring. Public rage soared high against his tyrannical acts, especially in connection with the Tolby murder. It caused President Rutherford B. Hayes to remove him from office.

Four men had died as a result of the storm arising out of Tolby's killing.

The Reverend Oscar P. McMains was accused of the murder of Vega and was indicted by a grand jury. Partisans flocked to his defense, and he was out on bail in minutes. When his trial came up, he was ably defended by Frank W. Springer and Judge William D. Lee. Claiming they did not have necessary witnesses ready to proceed to trial, they obtained a continuance. On the plea that no unprejudiced jury could be obtained for their client in Taos, they managed a change of venue to Mora County.

On August 23 and 24 Minister McMains stood trial for Vega's death. Details of the lynching were brought out. Farmer Low testified that McMains, not a part of the mob, left before Vega was removed elsewhere and hanged. Finding him guilty of murder in the fifth degree, the jury levied a fine of $300. Heeding public sentiment, the district court judge promptly set aside the verdict on grounds that the jury failed to state what the defendant was guilty of.

A retrial was set for April 1, 1878, at Taos. On that date Judge Samuel Parks dismissed the case, as not being in Taos County District Court jurisdiction. Meanwhile the legislature had repealed the law attaching Colfax County to Taos for judicial purposes, where the indictment had been issued.

By November, the Reverend McMains was back riding the circuit in northeastern New Mexico. He resumed preaching the danger of hell-fire, and fighting the Land Grant Company. He was still vigorously at it when he died in 1899.

In time Tolby's grave-stone broke apart. Today his last resting place is marked by a marble tombstone which bears the same inscription.

Nearly a hundred years ago most of Colfax County was convinced that all those implicated in Tolby's murder were hanged or shot. Still, there were a handful who believed otherwise. Proof beyond the shadow of doubt never was plainly established, so, in that respect, the murder that rocked New Mexico actually remains partially unsolved. ●

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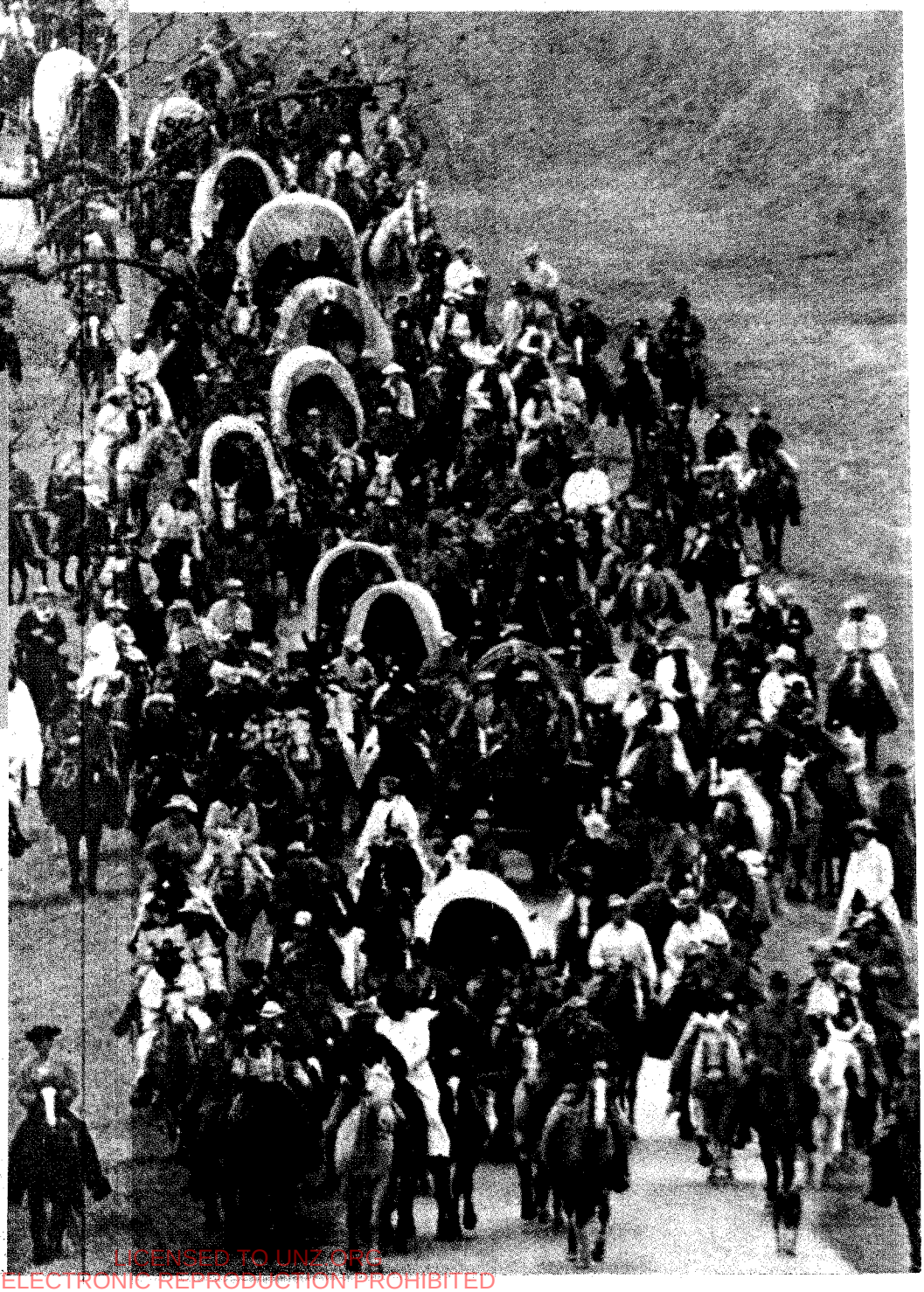

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